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WRITINGS

OF

JOHN QUINCY ADAMS

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WRITINGS

OF

JOHN QUINCY ADAMS

EDITED BY

WORTHINGTON CHAUNCEY FORD

VOL. III

1801–1810

New York
THE MACMILLAN COMPANY
1914

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WRITINGS

OF

JOHN QUINCY ADAMS

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WRITINGS OF JOHN QUINCY ADAMS

TO RUFUS KING

QUINCY, 13 October, 1801.

DEAR SIR:

. . . . . .

We landed at Philadelphia the 4th of last month, after a tedious though not unpleasant passage of fifty-eight days from Hamburg. My wife with her child went on to her father's family at Washington, and I came here. The day after tomorrow I purpose setting out to go and bring her home. In the course of a month I hope to be here again, and shall immediately resume the practice of the law, and fix my residence in Boston.

The appearance of our country has very much improved since I left it in 1794. I find everywhere the marks of peace within our walls, and prosperity within our palaces — for palaces they may truly be called, those splendid and costly mansions which since my departure seem to have shot up from the earth by enchantment.

The pleasure of these prospects is in some measure damped by that of the afflictions from which we are not yet exempted. Several of our large towns, New York, Norfolk, Charleston, S. C., and some others are bleeding again under the scourge of pestilential fevers. But as they did not appear until a much later than the usual period, and as the cold season is rapidly approaching, we hope for speedy relief from this distressing calamity.

Upon the subject of our politics I know not how far it may

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be proper to tell you all I have observed since my return, and should I tell you all, it would not give you a clue to the projects and views of any party. The meeting of Congress will doubtless discover some of them, and I shall write you again upon the subject with the utmost confidence.

The dismissal of some public officers and the appointment (provisionally) of some others have given rise to considerable controversy. Remonstrances, replies and pamphlets, *pro* and *con*, have furnished much conversation for idlers, and much discussion for disputants. This has been hitherto the only topic of material censure upon the present administration, and individual feelings have given it a show of importance much beyond that which belongs to it.[1] I am happy to know that from the removals of public officers abroad it has constantly been determined to except you, and that the President has expressed his entire satisfaction with the manner in which you have served the public in your present mission. I am, &c.

TO RUFUS KING

QUINCY, 11 December, 1801.

DEAR SIR:

. . . . . .

At New York on my return home I first heard of the peace concluded between France and England, which was very

[1] Jefferson explains at length his ideas on removals and appointments in his correspondence; and a letter to William Short, of October 3, 1801, expresses his views about the time Adams was writing. *Writings of Jefferson* (Ford), VIII. 95.

"The session of Congress is about commencing, with a majority in both houses favorable to the views of the present administration. Great tranquillity prevails throughout the country, and the violence of party spirit has very much subsided. Prospects of an unpleasant controversy with Spain began to discover themselves, but there is reason to expect they will disappear at the termination of the war in Europe." *To Joseph Pitcairn*, December 4, 1801. Ms.

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unexpected here, as it appears to have been even in London.[1] Its influence upon our affairs, public and private, will no doubt be important, and not in every respect favorable. Much partial inconvenience is to be foreseen, but if the enterprise and industry of our countrymen is checked in one quarter, I believe it will soon find or make its way in another. The prices of goods have generally fallen, and some comparative stagnation of commerce must ensue. Our merchants and shipbuilders, however, anticipate a temporary advantage from the want of vessels in France, where they hope to find a good market for many of their supernumerary ships.

Our internal affairs continue to present an aspect of great tranquillity. The session of Congress must have commenced, but we have not yet received the President's speech.

About a fortnight since General Hamilton's eldest son [Philip] was killed in a duel with a Mr. Eacker. He is said to have been a young man of great promise. . . .[2]

TO RUFUS KING

Boston, 18 January, 1802.

Dear Sir:

. . . . . .

Our political atmosphere still remains serene. Since the meeting of Congress it appears there is a large majority in the House of Representatives and a decided, though small one, in the Senate, favorable to the views of the executive.[3]

[1] This refers to the truce that resulted in the treaty of Amiens, signed March 25, 1802, by Great Britain, France, Spain and Holland.

[2] Hamilton, *History of the Republic*, VII. 499.

[3] Henry Adams, in his *History of the United States of America*, 1801–1817, has

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The measures recommended by the President at the opening of the session are all popular, in all parts of the Union; but they are all undergoing a scrutiny in the public newspapers, more able and more severe, than they will probably meet in either House of Congress. A writer in the *New York Evening Post*, said to be General Hamilton, has undertaken particularly to point out great and comprehensive errors of system in the message, and his doctrines find great approbation among the federalists, and among all those who consider themselves as the profound thinkers of the nation. These papers will without doubt be transmitted to you by your friends at New York and, with the President's message and the report from the Secretary of the Treasury, will give you the fairest view of what our administration and our opposition are at this time. As to Congress, there has yet been no subject of debate before them which has called forth any energy of opposition. The apparently leading ministerial members are General Smith, Mr. Giles and Mr. Randolph. The Vice President has not yet made his appearance, being detained by necessary attention to his private concerns at New York.

The report from the Treasury exhibits a pleasing view of the present state of our finances. It is merely a statement, and avoids with caution the proposal of any measures. The President, however, has drawn from it the inference that our internal taxes ought to be repealed. This measure will probably be carried into effect. The established system of naturalization and the judicial courts will have the same fate. Of all these changes the advantages are immediate, obvious, popular and trifling. Their probable inconveniences are

treated so fully and ably the period covered, as to leave little to his successors to add and less to amend. Adams' *Memoirs* should also be constantly read in connection with these letters and state papers.

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remote, are not therefore discernible to the short sight of the million, and are of the most weighty consequences. As popularity is the fundamental principle both of our legislative and executive, they will be satisfied to provide for the occasions of the day, and leave future times to take care of themselves.

With the highest regard, &c.[1]

[1] April 5, Adams was elected a State Senator. *Memoirs*, April 5, 1802. The history of the federal party in Massachusetts from 1802 to 1815, the relations of Adams to the political parties, and the record and explanation of his course on public measures and policy, were fully expressed in his "Reply to the Appeal of the Massachusetts Federalists," prepared in 1829, but not published until 1877, in Adams, *New England Federalism*, 1800–1815. This "Reply" will appear in a later volume of these *Writings*.

"In May, 1802, Mr. Adams attended a federal caucus, called to nominate counsellors. At this meeting Mr. Adams proposed that *four* of the counsellors should be of the republican party. The *federal leaders said 'this man is not our friend, but against us.'* On the only question which divided parties at the spring session, Mr. Adams voted with the republicans. At the winter session, his federal friends in Boston applied for a Bank charter, and great efforts were made to secure his support. He came out, at the hazard of his popularity, in opposition to the wishes of his friends, the next day, and made a speech in opposition to the Bank. Failing to prevent the grant of a charter, he proposed a new section, by which the subscription to the stock should be open to all the citizens of the Commonwealth: when this was rejected, he voted in the negative on the final passage of the bill.

"The same session, the Senate was divided on a petition for the removal of two republican Judges, the federal members voted in the affirmative, the republican in the negative. Mr. Adams voted in the negative, and in company with Mr. Woodman, entered a protest on the record." *Independent Chronicle and Boston Patriot*, May 27, 1828. The first incident occurred May 27, 1802, and Adams then proposed to admit to the Council a proportional representation of the minority. Adams, *New England Federalism*, 57; *Memoirs*, *sub dat.*

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TO THOMAS BOYLSTON ADAMS [1]

BOSTON, 27 August, 1802.

I duly received your letters of the 21st enclosing the pamphlet of Gentz. . . .

You have seen two letters from your father to S. Adams, written in 1790, lately published in the newspapers.[2] They have been attacked with characteristic violence and bitterness, by the fifty-dollar men at Washington, Worcester and Boston.[3] They are defended in the *Boston Gazette*. The first publication was to defeat the basest misrepresentations, which were circulating here by the paid slanderers, who had seen them, by the treachery of the old prophet, and who were affirming that the letters in so many words urged the establishment of an hereditary monarchy and nobility in this country, and named the families of which this nobility was to be composed. Judge how much the publication has exasperated those fellows, by taking the lie out of their mouths and holding it up to the public view. They are flouncing, and foaming and spouting, and dashing with the tail at a furious rate; but the harpoon is in them; they shall have their full length of rope to plunge downward; and then if they are not drawn up, cut up, barrelled up and tried down for the benefit of the public, say to all the world that I am the disgrace of New-England whale-men. Your's faithfully.

[1] From the collection of Mr. William Nelson, Paterson, New Jersey.

[2] Printed in a pamphlet in 1802, with an advertisement by an unknown hand. They are reprinted in *Works of John Adams*, VI. 405.

[3] Probably a reference to Jefferson's gift to Callender, and thus to a subsidised press.

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TO RUFUS KING

BOSTON, 8 October, 1802.

DEAR SIR:

. . . . . .

We have enjoyed during the summer an extraordinary degree of tranquillity, and since the session of Congress terminated in May no public event of material importance has happened. The newspapers have been chiefly filled with personal attacks upon the President and Vice President, coming from different and perhaps opposite quarters — all arising originally from divisions in their own party. These divisions have occasioned animosities of no small inveteracy between individuals. You have doubtless been better informed of the transactions at New York than it would be in my power to inform you. The warfare there has been between the friends of Mr. Burr and those of the Clinton family. In Virginia the principal batteries have been pointed at Mr. Jefferson by a Scotsman named Callender,[1] of whom you have probably heard heretofore. He writes under the influence of personal resentment and revenge; but the effect of his publications upon the reputation of the President has been considerable.

What the consequences of these internal feuds in the ruling party will be is not yet apparent. But independent of them, and considered as a single party in opposition to the federalists, the strength of the present administration is continually increasing. It has obtained and preserves an irresistible preponderancy in thirteen of the sixteen state legislatures, and the resistance in the three others scarcely maintains its

[1] James Thomson Callender. See *N. E. Hist. Gen. Register*, 1896–97; Henry Adams, *History*, I. 322.

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ground. In both Houses of Congress the majority is already decisive, but at the ensuing Congress will be much greater. The division in the Senate is now nearly equal, but for the next two years there will be nearly two-thirds of the partisans of the present government. In the State of Pennsylvania their ascendency is so great that the federalists have scarcely dared to name a candidate in opposition to Governor M'Kean's reëlection. Federalism is, indeed, in that state so completely palsied, that scarce a trace of it is to be discovered, except in here and there a newspaper edited by New Englandmen.

This party triumph is not enjoyed with moderation. The basis of it all is democratic popularity, and the leaders are all sensible how sandy a foundation it is. Strong as the fabric of their power appears, they are constantly trembling lest its corner stones should fail, and as their principal alarm is lest the old administration should recover favor in the eyes of the people, the great engine of party with which they endeavor to fortify themselves is slander upon their predecessors. This they continue under every shape and on all occasions. Nor are these exertions unsuccessful. They carried the system to such a pitch that even a committee of the national House of Representatives, called a Committee of Investigation, at the close of the session made a report, the manner and form of which were both highly exceptionable to every maxim of common justice and honor. This report was hurried through the House with as little regard to decorum as it was made. It has since been analyzed and refuted by several publications in various parts of the Union, but most effectually by a pamphlet of Mr. Wolcott, which will doubtless be sent you by some of your friends, and which will show you a fair specimen both of our administration and its opposition.[1]

[1] *Address to the People on the Report of a Committee of the House of Representatives,*

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The concern of the *republicans*, as they style themselves, is the result of consciousness rather than of real danger. The power of the administration rests upon the support of a much stronger majority of the people throughout the Union than the former administrations ever possessed since the first establishment of the Constitution. Whatever the merits or demerits of the former administrations may have been, there never was a system of measures more completely and irrevocably abandoned and rejected by the popular voice. It never can and never will be revived. The experiment, such as it was, has failed, and to attempt its restoration would be as absurd as to undertake the resurrection of a carcase seven years in its grave. The alarm of the pilots at the helm is therefore without cause. What they take for breakers are mere clouds of unsubstantial vapor. The only risk to which they are exposed is the shallowness of their waters. Their system is so short-sighted and so contracted, that it will never stand a popular test even of twelve years, and the people, whom almost unbounded prosperity could not attach to their predecessors, will not learn from adversity to be better pleased with them.

The yellow fever made its appearance at an earlier period than usual in many of our cities. It has not hitherto spread so extensively as upon former occasions, but it has been as malignant in the cases which have happened as it was ever known. A dysentery of extreme violence has likewise prevailed in the western parts of this Commonwealth and the neighboring part of Connecticut. The approach of the winter season gives us hopes of relief from these scourges. But the summer has been so long protracted that, at the moment I write this, Fahrenheit's thermometer stands at 82, and has

to Examine and Report whether Monies have been Applied to the Objects for which they were appropriated. Boston and Hartford, 1802.

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been higher in the course of the day. The harvests throughout the country have been plentiful.

I am, &c.

ECCE ITERUM [1]

1801, September, I returned from a series of diplomatic missions in Europe, which had kept me seven years absent from my country. Mr. Jefferson had just ascended the presidential chair. In December I resumed my residence in Boston, and became again a candidate for practice at the bar.

1802, April, I was elected a member of the Senate of Massachusetts, in which capacity I served a single year. It was the noviciate of my legislative labors, during which I was not able either to effect much good, or to prevent much evil. I attempted some reforms, and aspired to check some abuses, I regret to say with little success. I wanted the authority of experience, and I discovered the danger of opposing and of exposing corruption. I witnessed the process of a bank manufactory, not unlike that of the Chemical Bank,[2] which has so recently edified the public ear at Albany. I resisted it in vain. The mammon of unrighteousness was too strongly befriended.

In November of this year I was run as a candidate for the House of Representatives of the United States, in opposition to Dr. Eustis.[3] I had a majority of votes in Boston; but two or three neighboring towns annexed to the Congressional district and a rainy day lost me the election by forty or fifty votes.

[1] Written about 1825.

[2] Chartered in New York in 1825.

[3] The *Memoirs* should be read in connection with this paper.

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During the year 1802 I delivered two orations, which formed no inconsiderable incidents in the history of my life. The first was in May, an Address to the Massachusetts Charitable Fire Society;[1] the second, at Plymouth, on the 22d of December, at the festival of the Pilgrims.[2] The address to the Fire Society has contributed to rebuild the city of Boston, to convert stubble into brick, clapboards and shingles into granite walls. It implored and shamed the Bostonians out of their inveterate fondness for wooden houses. If you will know the good that I have done, set this down for one of the best deeds of my life. In the Plymouth discourse, there is a brief argument upon the *right* of Europeans to form establishments in the American wilderness, and to extinguish upon just and reasonable terms all the natural rights of the aboriginal Indians conflicting with it, which was afterward useful to me at Ghent, and which after the lapse of more than twenty years I still think unanswerable.[3]

[1] *An Address to the Members of the Massachusetts Charitable Fire Society*, May 28, 1802. Boston: 1802.

[2] *An Oration Delivered at Plymouth*, December 22, 1802. Boston: 1802.

[3] He was elected to the United States Senate, February 3, 1803. See *Memoirs*, and *New England Federalism*, 154. "A great bank in Boston, of twelve hundred thousand dollars, is now in debate in the Senate, having passed the House. It is supported by the principal moneyed men in this town, and opposed by John Q. Adams, whose popularity is lessened by it. They say also he is too unmanageable. Yet he is chosen Senator to Congress in consequence of a caucus pact, that if Col. Pickering should not be elected on two trials, then the Feds would combine and vote for J. Q. A. This happened accordingly." *Fisher Ames to Christopher Gore*, February 24, 1803. *Works of Fisher Ames*, I. 321.

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TO HENRY KNOX

BOSTON, 14 February, 1803.
1 o'clock, P. M.

DEAR SIR:

I have but this moment arrived in town, and upon reaching my house received your favor of yesterday. This must be my apology for not having sooner answered it.

The following is a copy of the reasons for which I dissented from the vote for an address to remove the two judges.[1]

First. Because the grounds alleged in the said address for the removal are for official misdemeanors; and the subscriber conceives it to be the intention of the Constitution, that no judicial officer should be removed from office, by the mode of an address of the two houses, on the ground of offences, for the trial of which the Constitution has expressly provided the mode of impeachment.

Secondly. Because he considers the independence of the judiciary as materially affected, by a mode of proceeding which in its effects must make the tenure of all judicial offices dependent upon the verdict of a jury in any one county of the Commonwealth.

Thirdly. Because the decision of the Senate in this case, affecting in the highest degree the *rights*, the *character* and *reputation* of two individuals, citizens of this Commonwealth, ought not to have been taken, without giving them an opportunity previously to be heard in their own defence.

I am with the highest respect, etc.

[1] Paul Dudley Sargent and William Vinal, justices of the Common Pleas, Hancock county. See Adams, *Memoirs*, February 10, 12, and March 4, 1803.

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TO ROBERT BIRD [1]

BOSTON, 27 April, 1803.

SIR:

I have received your favor of the 12 and 15 April, inclosing a copy of resolutions agreed upon 1 March, by the creditors of Messrs. Bird, Savage and Bird in London. I have also received letters from them requesting me to sign the letter of license at New York. Mr. King, Mr. Gore and Mr. Samuel Williams agreed to take up for my honor all the accepted bills drawn by me, excepting the one for £400 which had been sent back protested, before they knew I had drawn upon the house. Mr. Williams advanced the money, and by his letters calls upon me for the reimbursement of £2802:10 sterling thus paid for me, with about £70 more charges of protest, commission, etc. In return for an act of kindness so important to me I cannot hesitate to make immediate remittance to Mr. Williams, and to effect that am obliged to make sacrifices of property to raise the money, which, though much less than they would have been with the aggravation of protested bills and their load of charges, are still of very serious concern to me.

Under these circumstances, sir, upon being asked to sign a letter of license for three years, I have some reason to ex-

[1] On April 1, notice had been received of the failure of the banking house of Bird, Savage and Bird, which had acted as fiscal agents of the United States in London, and had on deposit the funds coming to John Adams arising from the redemption of United States loans in Holland, to which he had subscribed to inspire confidence. Bills on London had been drawn by John Quincy Adams but were returned protested and he was forced to sell a part of his property to meet them. Rufus King, Christopher Gore and Samuel Williams in London, and Benjamin Pickman in Boston gave him assistance and the bankers eventually paid their indebtedness; but the last instalment was not received until after the death of John Adams, twenty-three years later. See Adams, *Memoirs*, April 1, 1803.

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pect that *something* should be alleged as the inducement. Still more reason have I to expect a more particular statement of the assignment made by you of £75,000 sterling of the House's property to cover your own debts. I wish therefore for some further explanation on this point, and some satisfactory evidence that the assignment, which you coolly tell me "stands good against every act that *can* be done against it," is justifiable not only upon legal grounds, but on such principles that the *unsecured* and *disregarded* creditors of the House may have an apology for acquiescing in it; and, after being informed of it, still to grant a letter of license and £800 sterling a year to each of the partners in England for collecting a remnant of probably desperate debts. I ask therefore:

1. Whether the assignment of £75,000 property, which you consider yourself as having so effectually made, is or is not a part of that property which the house in London, on the 1st of March, stated to their creditors there as effects responsible for their debts?

2. If so: whether the creditors in London, when they agreed to the letter of license, knew of this assignment made by you?

3. Whether there is any prospect that those creditors will not consider as void their letter of license, when they come to be informed of this enormous deduction from the house's *ostensible* effects?

4. What shipments those are which you say you made to aid the credit of the house? When they were made? Had they been received and disposed of by the house in London before the 7th of February, or were they to arrive after that period? What goods were they, and to what amount will they probably ever be effects to satisfy the creditors of the house in England?

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Until these questions can be satisfactorily answered I see no possible excuse to myself for assenting to the letter of license. The house in England write me, indeed, that it is the *only* possible way of rendering their estate solvent; but why it should have that tendency more than a mode of proceeding which will leave the creditors in general free to contest partial conveyances and assignments confessedly made in contemplation of failure as well as all existing attachments, I do not clearly see. If you can explain it to me, sir, I shall have no disposition to treat you or the house with severity; however severely they have treated me.

I am, &c.

TO WILLIAM BARTLETT

BOSTON, 13 May, 1803.

SIR:

. . . . . .

You will see what answers he[1] makes to these questions, and will judge for yourself concerning them. My impressions are these:

1. That his aversion, and that of his partners in England, to going through a commission of bankruptcy is, because they wish not to have the validity of their conveyances undergo a trial.

2. That those of their creditors, whom they have attempted to secure by these conveyances, have the same desire to establish their validity, and of course would be ready enough to sign a letter of license.

3. That probably the persons who are willing to become bail for Robert Bird to any amount are those very creditors,

[1] Robert Bird.

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whom he has endeavored to secure, and who therefore wish to keep off a commission of bankruptcy.

4. But that for these very reasons the *unsecured* creditors like you and me ought not to consent to the letter of license. I see no possible benefit that *we* can derive from leaving the management of their affairs in their own hands, and all the business to be transacted in England. On the contrary I think we ought to insist upon a judicial trial of the force of their partial conveyances, and the most advantageous way of doing that will be by a commission of bankruptcy. For then the assignee under the commission would try the question at the expense of their estate, as it ought to be tried, and not at the cost of you or me, single individual creditors, and additional aggravations to our losses.

If you concur in opinion with me as at present advised, we shall not sign the letter of license, and we shall instruct Mr. Williams not to sign it for us in England; unless, which I now deem next to impossible, he should see a fair prospect of a speedy and considerable dividend.

We shall as soon as possible get a commission of bankruptcy at New York against Bird, Savage and Bird, and under that commission try the validity both of Robert Bird's partial conveyances, and of those made by the house in London, at least so far as relates to debts due them here in the United States. For you will remark that in one instance at least, the house in London have made a conveyance to one set of favored creditors, of the very same property which Robert Bird has attempted to convey to another. It is obvious that both these conveyances cannot stand; I hope that both will fall, and that whatever is recoverable will go to satisfy the creditors proportionably.

Please to return me the inclosed letter as soon as possible, and let me know your sentiments concerning it. I shall

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write further to Robert Bird and get a list of his unsecured creditors, whose interest is the same with your's and mine, that we may act in concert and endeavor to agree upon common measures.

I am, &c.

TO ROBERT BIRD

BOSTON, 13 May, 1803.

SIR:

I have received your favor of the 5th instant, the contents of which are not perfectly intelligible to me, but which has in some respects answered the questions contained in my letter of 27 April. I have now to request information, when your creditors will be called together at New York to determine what they will do, as to the letter of license agreed to by some of the creditors in England. It is my intention, if possible, to be present at that meeting. I have also to request of you information on the following points:

1. Whether there were any other partners, general or special, to the house in England, excepting yourself your brother Henry, and Mr. Savage? And if there were any such other partners who were they?

2. Who were the persons constituting the firm of Robert Bird and *Company* at New York? Please to name every person included in this partnership.

3. I will thank you for a list of your creditors in the United States, distinguishing the creditors of Bird, Savage and Bird from those of Robert Bird and Company, and specifying those whom you consider as secured by your assignment to Mr. Harrison, from those who have no security at all.

4. At whose suit besides that of the United States are you now under bail, and who is that bail? You say that you can

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find protection so far as bail goes for any suit which may be commenced against you; I wish therefore to be informed who gives that protection, and particularly whether any of the creditors for whose benefit you made the assignment to Mr. Harrison are of the number?

I presume, sir, that you will not consider any of these questions improper, that you will think them all entitled to clear and explicit answers, and that you will favor me with such an answer as soon as possible.

You are sensible it must be my very sincere and cordial wish, that your opinion and that of your partners in England, so confidently expressed, with regard to your ultimate complete solvency may prove well founded. But my confidence in your assurances would I confess be more unshaken, did I not perceive the extreme variance between your statement here, and that of your partners there. When I find you adding above 250,000 dollars to what they call the sum total of their debts, and deducting £75,000 sterling from what they exhibited as effects; when I see them exhibiting you as debtor to them for nearly £20,000 sterling, and you conveying away their effects to the amount of £75,000 more, my only astonishment is that you, aware of these facts, should still be talking to your creditors about paying them all, and having a large surplus left. For my own part, I should consider an impartial and candid equalization of regard for the interests of all your creditors in their just proportions as more creditable to you personally, and more conformable to the dictates of justice, than a stubborn adherence to a system of favoritism in your payments, colored only to the other creditors by the notoriously groundless pretence of paying them all.

It is still in your power, sir, to manifest that equal regard to *all* your creditors, and I hope that upon reflection you will think it advisable to adopt that course. When I have

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reason to believe you have adopted it, you shall not find me disposed to utter an expression which can wound your feelings, or take a measure that can bear hard upon your character or interest. I am, &c.[1]

RESOLUTION ON BOUNDARIES

[November, 1803.]

Resolved, two thirds of the Senators present concurring therein, that they do consent to and advise the President of the United States to ratify the Convention between the United States of America and his Britannic Majesty for determining boundaries pursuant to the provisions contained in the Treaty of Peace of 1783, concluded at London on the 12th of May, 1803, on condition that at the exchange of ratifications it shall be declared by the people authorized on the part of the United States to make the said exchange, that it is understood that nothing in the said Convention contained shall in any manner affect or impair any right or claim to territory which the United States may possess, by virtue of the Treaty between the United States and the French Republic, concluded at Paris on the 30th of April, 1803.[2]

RESOLUTION ON TREATY WITH FRANCE

November 25, 1803.

On motion, by Mr. Adams, that it be

Resolved, that a committee of members be appointed

[1] The President called the Senate to assemble October 17, and Adams set out for Washington October 1, but was delayed on the journey by an accidental illness in his family, and reached the capital city four days late. On entering the city he passed the Secretary of the Senate (Otis), who was taking to the President the Senate's advice and consent to the ratification of the treaty with France ceding Louisiana to the United States. Adams would have voted in its favor had he been present. Adams, *New England Federalism*, 53.

[2] See Adams, *Memoirs*, November 15, 1803.

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to enquire whether any, and if any, what further measures may be necessary, for carrying into effect the treaty between the United States and the French Republic, concluded at Paris on the 30th April, 1803, whereby Louisiana was ceded to the United States; which committee may report by bill or otherwise.

Ordered, That this motion be for consideration.[1]

AMENDMENT TO THE CONSTITUTION

[November 25, 1803.]

Resolved, by the Senate and House of Representatives of the United States, two thirds of both Houses concurring, that the following amendment to the Constitution of the United States be proposed to the legislatures of the several States; which, when adopted and ratified by three-fourths of the said legislatures, shall be valid to all intents and purposes as a part of the said Constitution.

Congress shall have power, at such times and in such manner as

[1] *Senate Journal*, 8th Cong., 1st sess., 68. See also *New England Federalism*, 155.

"The speech of Mr. John Q. Adams, son of the late President, is peculiarly gratifying; he is an eastern man, as may be supposed not much in love with Mr. Jefferson, yet he tells us the acquisition of Louisiana is an event of such great importance that to be able to fulfil the treaty an amendment of the constitution ought to be made, if necessary, and he declared his belief that *every state in the union would be in favor of it.* This cannot be called democratic cant or such like, it is the language of the son of Mr. Adams, and probably such as our late President himself would express. Again, speaking of the acquisition, he said:

" '*I consider the object as of the highest advantage to us: and the gentleman from Kentucky himself, who has displayed with so much eloquence the immense importance to this union of the possession of the ceded country, cannot carry his idea further on that subject than I do.*'

"Such language, we repeat, is gratifying, coming from a high New England federalist, it will have more weight than columns of the declamation of the *Essex-junto.* Already have such sentiments expressed by such men silenced some of the disaffected, and we hope to find even among federalists no opposers to what the well informed of the party have so emphatically asserted." *Aurora.* December [ ], 1803.

The speech was republished in the *Independent Chronicle*, December 15, 1803.

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they may deem expedient, to incorporate within the Union, the inhabitants of all such territories, heretofore not within the limits of the United States, as have been or may be ceded by treaty, duly ratified, to the United States; and to extend to the said inhabitants all the rights, privileges and immunities which are enjoyed by native citizens of the United States under the Constitution. And Congress shall also have power to make all such laws for the government of such ceded territories, and of their inhabitants as may be necessary to fulfil with good faith the conditions of cession, and as may best conciliate the protection of the liberties, property and religion of the said inhabitants with the rights of the United States, of their citizens, and of the respective States, under the Constitution.[1]

TO THE SECRETARY OF STATE

[JAMES MADISON]

WASHINGTON, December [3?], 1803.

SIR:

Some difficulty having arisen in the Senate, in considering the expediency of advising and consenting to the ratification of the Treaty of limits, between the United States and Great Britain, signed on the 12th of May, 1803, a committee of that

[1] *New England Federalism*, 157. Adams there gives a summary of his speech and the action which was taken subsequently. In the same work he shows the effect of the Louisiana purchase upon the federalists of the Essex-junto following. See especially p. 52.

"Mr. Adams had not arrived when the treaty [for purchase of Louisiana] was ratified, but he approved of it and of the consequent appropriation for the purchase-money; fondly believing that an amendment to the Constitution, to embrace that new object, would have been a mighty easy thing. He presented a resolution really for that purpose; but after lying some time, it was called up and was contemptuously rejected; his own, Mr. Hillhouse's and mine being the only votes in its favor." *Pickering to Rufus King*, March 3, 1804, *Life and Correspondence of Rufus King*, IV. 361.

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body has been appointed to inquire and report upon the subject.

The difficulty arises from the circumstance that the Treaty with the French republic, containing the cession of Louisiana, was signed on the 30th of April, twelve days earlier than that with Great Britain, and some apprehension is entertained that the boundary line contemplated in the third article of the latter, may by a possible future construction be pretended to operate as a limitation to the claims of territory acquired by the United States in the former of these instruments.

But as the ratification, if it can be effected, without unnecessary delay is a desirable object, it has occurred to the committee that Mr. King may possibly have it in his power to give information which might remove the obstacle; I have, therefore, in behalf of the committee, to ask whether from any information in possession of your Department, or which may be obtained, in such manner as you may deem expedient, it can be ascertained whether the third article of the treaty with Great Britain was concluded with any reference whatsoever to that with the French Republic, or with any right or claim which the United States have acquired by it. I am, etc.[1]

[1] Madison sent this letter to Rufus King, who replied that the "convention was concluded without any reference whatsoever to the treaty of cession with France." *Life and Correspondence of Rufus King*, IV. 332.

"The Hon. John Quincy Adams will certainly be denounced and excommunicated by his party. On the leadings questions in the Senate he has acted and voted with the friends of the administration. On the resolution for carrying into effect the Convention with France for the purchase of Louisiana, he delivered a concise, nervous, manly, energetic, and unequivocal eulogy on the measure." Worcester (Mass.) *Ægis*, December 4, 1803.

"The motive of Mr. Adams in submitting the above resolution [on Louisiana, November 25] is by him declared to be, that the Constitution should be so amended as to extend its protection over the territory of Louisiana, that the inhabitants

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TO BENJAMIN RUSSELL

WASHINGTON, 24 December, 1803.

SIR:

In the *Centinel* of the 10th instant is published a letter to the editor,[1] containing certain animadversions upon, and anticipations of my conduct, respecting the two subjects of the highest public importance which have been agitated in

thereof may be immediately admitted into the Union and enjoy all the rights and immunities of citizens of the United States!! . . . The proposed Amendment of the Constitution for designating the votes of President and Vice President labors heavily in the Senate. Two of its members are absent, and it takes twenty-three to make the constitutional two-thirds. Mr. Butler (of *South Carolina*) a democrat, but who was a member of the Convention which formed the Constitution, and who knows the wisdom in which the provision was formed is opposed to the amendment; but to balance this, I am told Mr. Adams, from your state will advocate with zeal the amendment!!! But for this, those who count numbers say, there would not be a constitutional majority for the proposition." *Columbian Centinel*, December 10, 1803.

[1] "I have seen the *National Intelligencer* for a few weeks past. I there read the debate which I presume was the cause of Mr. Eustis writing to Mr. Joseph Hall the following: 'You will probably have heard of the bold and independent manner in which J. Q. A. voted away from his party. Having gained credit *with us*, it is to be expected he will proportionably lose with them.' When I wrote you last Sunday I did not mention this in my letter. I only observed that I was sure you would as much as possible keep your mind free from party influence, and vote as your conscience aided by your judgment should dictate; and though upon some occasions I might think your vote would have been different, it is impossible to judge accurately, because we see not the causes which have operated towards the decision. I did not, however, so soon expect to see Dr. Eustis' observation verified. You will read in Ben Russell's *Centinel* of Saturday the 10th an extract of a letter from Washington to the Editor. Who the writer is, I know not; but the letter is evidently intended to convey an idea that you were attaching yourself to the majority, and with the notes of admiration and the Latin quotation (I do not like this) stabbing in the dark, which Russell publishes, but takes care to omit the debate which gave occasion to the motion. You will proceed in a consistent uniform (tenor of conduct) regardless of the goads and stings you will have to encounter." *Abigail Adams to John Quincy Adams*, December 11, 1803. Ms.

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Congress this session. To the remarks respecting me which may appear in newspapers of *some* descriptions I should pay little attention. To those which appear in the *Centinel*, when of the nature of those to which I allude, some notice, in justice not only to myself but to my constituents, is due.

In the present instance as I believe neither the writer nor the publisher of the letter acted with views unfriendly to me, and as I feel the great importance of *harmony* between those of us who generally agree in principles relative to public measures, I am unwilling to give publicity to the defence and justification of myself, which the letter I speak of seems to call for. It will be much more agreeable to me to explain myself amicably with the writer of the letter, and arrest the possibility of any public controversy upon the subject. I now, therefore, write to request information of you, who the writer of that letter or of the part of it respecting me was; and to desire particularly that you will not refuse me his name until after consulting him upon the subject.[1] As I presume it came from no ordinary authority, I flatter myself the gentleman will readily consent to my request, in which case I shall avoid all public notice of the letter. If, however, he should be unwilling to give his name, you will be kind enough to inform me of his determination.

In asking this, I hope you will not understand me as in the remotest degree wishing to restrain you in the publication of any observations upon my conduct, which you may think proper at any time. I have the most perfect respect for the freedom of the press, and think the true spirit of independence best exerted in checking by timely admonition the errors of our friends. Of the value in which I hold your paper you have had for many years stronger proofs than any

[1] He learned that the writer of the letter was William Stedman, a member of Congress, who lodged in the same house with Pickering. *Memoirs*, January 18, 1804.

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formal assurances could contain, and the object of my present request, I beg leave once more to repeat, is the preservation of harmony among those who have already been too much weakened by its want.

I am, &c.

MOTION ON IMPEACHMENT

January 4, 1804.

On motion, by Mr. Adams, that it be

Resolved, That any senator of the United States, having previously acted and voted as a member of the House of Representatives, on a question of impeachment, is thereby disqualified to sit and act, *in the same case*, as a member of the Senate, sitting as a court of impeachment.

It was agreed that this motion should lie for consideration.[1]

MOTION ON TAXATION OF LOUISIANA

January 10, 1804.

A motion was made by Mr. Adams, that the following resolutions be adopted, to wit:

Resolved, That the people of the United States, have never, in any manner delegated to this Senate, the power of giving its legislative concurrence to any act for imposing taxes upon the inhabitants of Louisiana, without their consent.

Resolved, That by concurring in any act of legislation for imposing taxes upon the inhabitants of Louisiana without their consent, this Senate would assume a power, unwarranted by the constitution and dangerous to the liberties of the people of the United States.

[1] *Senate Journal*, 8th Cong., 1st Sess., 122. The motion was called up March 2, and rejected by a vote of twenty to eight. Three members of the Senate would have been disqualified by the motion had it been adopted. See Adams, *Memoirs*, March 2, 1804.

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Resolved, That the power of originating bills for raising revenue, being exclusively vested in the House of Representatives, these resolutions be carried to them by the Secretary of the Senate: that whenever they think proper they may adopt such measures as to their wisdom may appear necessary and expedient for raising and collecting a revenue from Louisiana.[1]

NOTES OF SPEECH ON MOTION

When the resolution to appoint a committee for the purpose of preparing a form or forms of government for Louisiana was first before the Senate, I objected against it as premature. I did not think it possible that during the present session of Congress we should obtain the knowledge or information absolutely necessary to proceed advisedly in a career of such vast importance. It was my opinion that our first and most urgent care should be to obtain for Congress the powers indispensable for the performance of our own engagements, and that we should have ample leisure for the exertion of our *power* over the country we have newly acquired. To perform what we had promised was in my view of things the task of most immediate pressure before us, while we could not wield with too prudent and wary hand the rod of empire and dominion which we had assumed over a foreign people. On both these cardinal points of policy I had the misfortune to find myself in a very small minority. The principles adopted by the majority of the Senate were in both instances the reverse of those with which I concurred. It was said that my anxiety for the fulfilment of our national engagements was overweaning and premature. That it was better policy to follow the example which the union had exhibited under the old confederacy and break the treaty without

[1] A vote was taken upon each resolution. The first and second resolutions were each rejected by a vote of twenty-two to four—Adams, Olcott, Tracy and White being the four affirmative votes. The third resolution was then unanimously rejected. *Senate Journal*, 8th Cong., 1st. Sess., 130. Adams, *Memoirs*, January 10, 1804; *New England Federalism*, 158.

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scruple, until the power with whom we made it should call us to account for the breach. But on the other hand the ardor for legislating amply compensated for the coolness of punctuality, and, even before we knew whether peaceable possession of the country had been obtained, it was judged not too early to prepare forms of government for a people whose language we do not understand, whose manners opinions and prejudices are totally variant from our own, and of whom we know nothing more than could be collected from a couple of small pamphlets, compiled indeed with laudable industry and care from the little information our Executive government had been able in the course of three or four months to obtain, but sent to us with an express caution not to rely upon them as official.

In both these decisions of the Senate it was my duty to acquiesce. The Committee to prepare a form or forms of Government for Louisiana was appointed and their report is now the subject of consideration.

My first objection against this bill is derived from the principle upon which I opposed the appointment of the Committee. If ever there was an occasion upon which a legislative assembly ought to adopt as the basis of their measures the old and wholesome adage *festina lente*, it must surely be when they are about to undertake the task which the acquisition of Louisiana has imposed upon us. In order to impress our minds with the full conviction of this truth, let us seriously contemplate the extent and nature of that task. It is nothing less than to accomplish a total revolution, not only of government and laws, but of the principles upon which they are founded; over a people consisting of an hundred thousand souls; over a people of whom we may yet be said to know nothing, as they with still less exception know nothing of us; over a people whose subjection to our authority has been established *without their previous consent*, and whose liberty, property and religion, we are bound by solemn obligation to protect.

In order to effect this revolution without violence and oppression,

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it must be done by slow, gradual and well considered measures; and it is of primary importance to lay the foundations upon proper principles. The first step we should take, therefore, seems to be, that of legitimating our authority of acquiring the *right* to make laws for that people *at all*. By the treaty with France we have acquired all the rights of sovereignty over the inhabitants of Louisiana which France could impart; but as, to use the language of our declaration of independence, the *just* powers of a government can be derived *only* from the *consent of the governed*, the French Republic could not give us the right to make laws for the people of Louisiana, without their acquiescence in the transfer. I never considered this as an objection against the ratification of the treaty, because I did not deem it indispensable that this consent of the ceded people should precede the conclusion of the compact. That would indeed have been the most natural and most eligible course of proceeding, had it been practicable, and such was the opinion of our own executive before the negotiation of the treaty. But theoretic principles of government can never be carried into practice to their full extent. They must be modified and accommodated to the situations and circumstances of human events and human concerns. But between those allowances necessary to reconcile the rigor of principle with the resistance of practice, and the total sacrifice of all principle, there is a wide difference. If in the Louisiana negotiation our government had insisted on obtaining the consent of the people before the conclusion of the treaty, in all probability the treaty itself never could have been concluded. A momentary departure from the inflexible rigor of theory was, therefore, perfectly justifiable, and in concluding the treaty we acquired a power over the territory and over the inhabitants which requires, so far as relates to the latter, one thing more to make it a just and lawful power. I mean their own consent. For although the necessity of the case might excuse us for not having obtained this consent beforehand, it could not absolve us from the obligation to acquire it afterwards. And as nothing but necessity can justify even a momentary departure

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from those principles which we hold as the most sacred laws of nature and of nations, so nothing can justify extending the departure beyond the bounds of the necessity. From the instant when that ceases the principle returns in all its force, and every further violation of it is error and crime.

If any gentleman can controvert the principle that by the laws of nature, of nations and of God, *no people has the right to make laws for another people without their consent* unless it be by right of *conquest*, I shall be glad to hear him; and if he can furnish to my unbiassed reason an *apology* for lending my hand to make a single law for the people of Louisiana without their consent, expressed or implied, I will not only vote for any proper law that may be proposed, but confess myself under deep obligation to the gentleman who shall solve my scruples. As to the right of conquest it must be out of the question. We can have no right of conquest over a people who have never injured us. The law of conquest is a law of slavery, and the people of Louisiana whose liberty we are solemnly bound to protect are not slaves.

In support of this principle I have already quoted the highest possible authority for an American citizen; I mean, the Declaration of Independence. Is that not sufficient? What says the Constitution under which we act? "We the people, &c. for ourselves and our posterity — for the United States of America." Not for the people of Louisiana nor for any other people. The people of the United States knew they had no right to exercise or to delegate the powers of legislation over another nation, and they expressly limited the operations of the Constitution to the United States of America, to themselves and their posterity.

The objections which I have urged hitherto against the passage of this bill have been either to particular details, or to points of expediency and considerations of justice and equity. Powerful as those are to my mind they are, however, of an order inferior to that which I now feel it my duty to make. I cannot prevail upon myself to vote for a law with a clear and undoubting conviction

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of my own mind that Congress have not the shadow of a *right* to pass it. Such is my conviction with regard to the act upon which we are now to decide. I long indulged the hope that the discussion of this question would have been avoided, that no alteration in the laws, and more especially no attempt to tax the people of Louisiana, would have been made, until in some shape or other their formal assent to our authority and acquiescence to our jurisdiction should have been obtained. I have been disappointed and we are now called upon at one and the same time to make a Constitution of government for a people who have never recognized our supremacy over them, and to tax *for our own benefit* a people of strangers, without admitting them to representation and without asking their consent.

The act upon which we are now to vote is an act to tax and very heavily to tax the people of Louisiana without their consent. This I apprehend Congress have no *right* to do.

1. Because it violates the natural rights of the people.
2. Because it violates the third Article of the Treaty of cession.
3. Because no such authority was or could be delegated by the Constitution.
4. Because it violates the principle of our national independence.
5. It violates the natural rights of the people of Louisiana.[1]

[1] "I do not disapprove of your conduct in the business of Louisiana. I think you have been right, though I know it will become a very unpopular subject in the Northern States, especially when they see an account of expenses which must be occasioned by it." *John Adams to John Quincy Adams*, February 25, 1804. Ms.

"I hope Mr. A[dams] will learn by the treatment he receives from the dominant party that any attempt to accommodate himself to their views must end in disappointment as it regards him, as well as to cause regret to his friends. As far as I have been able to observe, he inclines to be peremptory. Those who have known the father will readily, I conceive, observe as one has done before, 'Curse on the stripling, how he apes his sire.'" *Theodore Lyman to Timothy Pickering*, January 4, 1804. Pickering Mss. "I am glad that the *quiddities* of a certain person [Adams] do not at present time disturb Col. P[ickering], but people will and must act according to their character." *Fisher Ames to Stephen Higginson*, January 27, 1804. *Ib.* Higginson's opinion of Adams is given in a letter to Pickering, February 15, 1804, printed in the *American Historical Association Report*, 1896, I. 839.

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TO PETER CHARDON BROOKS

WASHINGTON, 21 January, 1804.

DEAR SIR:

Since I wrote you last, I have endeavored to ascertain by inquiry upon which I could depend the counsel best qualified to do justice to your cause,[1] who will probably attend here at the approaching session of the Supreme Court of the United States. The result of this inquiry has been the intention to fix upon Luther Martin, Esquire, of Baltimore, a gentleman whose general professional eminence, as well as his particular familiarity with causes of a commercial nature, are universally recognized by those who have had the means of knowing him. But as there will be still time for me to receive your answer to this before the sitting of the Court, if this choice should not be satisfactory to you or the gentleman concerned, please to give me notice of it, and I will employ some other.

As you have authorized me to draw upon you for his fees, as well as my own, I will thank you for instructions respecting the amount of those you would choose to give the counsel I shall employ. As for my own I wish you to have as little solicitude as I have myself, but I presume you are aware the customary fees of counsel here are higher than in Boston. Upon inquiring here what would be proper, I have determined to give Mr. Martin 100 dollars on employing him. I presume he will expect a further compensation should the cause come to trial. But being desirous not to exceed your own intentions in these respects, I will be obliged to you to let me know them.

I find by inquiry of the Clerk of the Supreme Court that

[1] Church *v.* Hubbart, 2 Cranch, 187.

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the papers on the appeal have not yet been received at his office. Your letter, however, has very clearly opened the points made by the plaintiff at the trial in Boston. If you can conveniently procure and forward to me copies of the papers in the Circuit Court, it will enable me to understand more fully the case, and to explain it to the gentleman I shall engage for you *in time* to be prepared for a trial at this term. The appellant must of course send up the papers. But perhaps they may not come until the court will be in session, and even then we shall want copies of them taken here. For the clerk of the Court allows no papers to go out of his office.[1]

I am, &c.

TO PETER CHARDON BROOKS

WASHINGTON, 6 March, 1804.

DEAR SIR:

I am sorry that it is not in my power to inform you that the judgment of the Circuit Court in the case of Church *v.* Hubbart is affirmed. The cause was argued last week by Mr. Stockton and Mr. Martin on the part of Mr. Church [2] (I found Mr. Martin on his arrival here engaged for Mr. Church,) and by Mr. J. T. Mason [3] of this place and myself for Mr. Hubbart. The Supreme Court have reversed the judgment of the Circuit Court on the sole ground that the Portuguese papers *were not duly authenticated.*

On the main question of the cause, however, which was also fully argued, the Court are decidedly of opinion that,

[1] The suit arose on a policy of insurance on the cargo of the brig *Aurora*, Nathaniel Shaler, master, at and from New York to the coast of Brazil, with a warranty against seizure for illicit trade. See Moore, *Digest of International Law*, I. 728.

[2] John B. Church.

[3] John Thomson Mason.

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supposing the papers *properly proved*, the loss came *within the exceptions of both policies*, and that the underwriters are *not liable*. The cause is remanded to the Circuit Court for a new trial. It will of course be necessary to send to Lisbon again to get the papers properly attested. I must observe to you, that on the record as it came up not even the original Portuguese papers appeared, there was nothing but Mr. Jarvis's translation and certificate. The Court here held that if no better attestation was to be obtained, *that* fact should have been proved; that the originals, exemplified under the great Seal of Portugal, taken and returned under a commission issued from the Circuit Court itself where the cause was pending, should have been produced. These, however, will only occasion further delay and trouble to the underwriters. If Mr. Church chooses to carry the contest any further, it is at least certain from the opinion of this court on *the merits*, that he must eventually lose it. I would recommend to the underwriters to be peculiarly cautious at their next effort to get the papers in an unquestionable form.

I am, &c.

TO RUFUS GREENE AMORY

WASHINGTON, 6 March, 1804.

DEAR SIR:

Immediately on receiving your letter of 21 ultimo, and that of Mr. Hays enclosing the newspaper to which you refer, I applied for the attested copy of the paper you request, which is promised me, and which I will send you as soon as it is made out. The Spanish order was not published from the Department of State. As your request is only for the order of 20 April, 1799, *revoking* the permission to neutrals

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to trade, I suppose you will not be desirous of a copy of a subsequent order, dated October the same year, and *reviving* the permission to neutrals to take away the proceeds of negro-cargoes, which subsequent order, I am informed at the State Department, is also in possession of the office.

In this instance, as in any other in which I can be of any service to you, it will give me great pleasure, nor should I ever think of making a charge for the trouble of procuring you a necessary paper, or any other piece of evidence which you may want. It is proper, however, that you should be apprized, that in *one* action pending at the Massachusetts Supreme Court on one of these Plate-river voyages, I was last summer of counsel *for the underwriters*. It was the case of Pollock *v.* Babcock. I know not how far there may be distinctions between this and the two actions for which you want evidence, but I mention it, first, as a reason which would induce me to decline charging anything for any service on the side opposed to that for which I was engaged, even if I thought I could fairly make a charge in such a case on *any* consideration; and secondly, that in any communications to me on the subject, you may be aware of the relation in which I stood to the questions upon these policies.

I am, &c.

TO TIMOTHY PICKERING

WASHINGTON, March 11, 1804.

DEAR SIR:

I received last evening your obliging favor, and have deliberately considered the proposal it contains.[1] I feel myself

[1] Pickering had suggested to the Senators from Connecticut and New Hampshire, that a concise and clear statement of the Pickering impeachment trial be prepared to be signed by such Senators as might desire to bear testimony against "This

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much indebted to you and the other gentlemen for the communication, and for the desire that I would draw up a statement of the circumstances, which have attended the proceedings upon Judge Pickering's impeachment, and with which we have been so justly dissatisfied.

I regret that an indisposition which confined me to the house this day will deprive me of the opportunity of conversing with you on the subject. I am not aware of any statement which I could draw up to be offered at the time you propose, that would be at once consistent with our rules of order, and a full exposition of our reasons to justify our own conduct. If the measure should not be itself perfectly in order, its tendency would be to produce further disorder in the proceedings of the court; and as irregularity of proceeding is in my opinion one great error into which the court has been led, or rather driven, I should be anxious as much as possible to avoid anything which should increase this irregularity, or throw any part of its blame upon those, who to the utmost of their power have struggled against it. Perhaps, however, a statement may be made which, without being disorderly itself, will at the same time serve as our justification, and as our testimony against the course which has been pursued. If so, I shall most readily concur in it, and subscribe to it. Mr. White's resolution, if permitted to remain on the records, will serve as justification to us; but if more can with propriety be done before the judgment is pronounced, it shall have my hearty assent.

I am, &c.

mockery of a trial, where not justice, but the Demon of Party, determined the proceedings." He asked Adams to prepare such a statement. See Adams, *New England Federalism*, 160. Pickering's request is in Adams, *Memoirs*, March 12, 1804.

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TO TIMOTHY PICKERING

WASHINGTON, 11 March, 1804.

DEAR SIR:

On further reflection since this morning, I have thought of a mode which appears to me not out of order, and in which we can express our sentiments relative to the proceedings of the court. It is to decline answering the final question, and assign the reasons, as you will see in the rough sketch which I inclose. If this should meet your approbation and that of the other gentlemen with whom you may consult, I will when called upon for my vote declare that I cannot answer, and offer this paper in behalf of myself, and of the other gentlemen who please to subscribe it. If the paper is not suffered to be read, and we are either required to answer or excused, we can publish the paper, with the statement that it was not suffered to be read. If you would wish any alterations or additions, please to make them and send me back the paper to copy fair tonight or tomorrow morning. If you disapprove the plan, please keep the paper, and return it to me when we meet tomorrow.

Yours faithfully.

[INCLOSURE]

We the subscribers, members of the Senate of the United States, sitting as a Court of Impeachment, upon the impeachment of John Pickering, Judge of the District Court, for the District of New Hampshire, request to be excused from answering the question of guilty or not guilty, upon the four several Articles of Impeachment preferred against the said John Pickering, by the House of Representatives of the United States.

And we offer the following as our reasons for declining to answer

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that question at this time. Which reasons we also request may be entered upon the records of the Court.

First. Because from the allegations contained in the petition of Jacob S. Pickering, son of the said John Pickering, and supported by the depositions of Samuel Tenney, a member of the House of Representatives of the United States, of Annie R. Cutter, of Joshua Brackett, of Edward St. Loe Livermore and of George Sullivan, and further confirmed by circumstances within the personal knowledge of Simeon Olcott and William Plumer, two of us, who deposed to the same in this Court, we think there is the highest probability that the said John Pickering was, at the time when the offences alleged in the said Articles of Impeachment are stated to have been committed, and for some time before and ever since has been, and still is insane, his mind wholly deranged, deprived of the exercise of judgment and the faculties of reason, and as such incapable of committing a crime and not amenable for his actions to any judicial tribunal.

Secondly. Because from the allegations contained in the said Jacob S. Pickering's petition, supported by some of the same depositions above referred to, it appears, that from the bodily infirmities of the said John Pickering it was not possible for him to have been present at the day fixed by the Court for his trial, without immiment danger of his life.

Thirdly. Because conceiving impeachment for high crimes and misdemeanors to be a *criminal* prosecution, we think that upon a suggestion of present insanity of the person accused, supported by credible testimony, the Court are bound by law, at every stage of the same, to stay all further proceedings until the truth respecting the alledged fact of present insanity can be ascertained.

Fourthly. Because all the evidence produced in support of the said Articles of Impeachment was taken and received *ex parte*, when neither the said John Pickering, nor any person in his behalf, could cross examine them, or have an opportunity to controvert its competency or its credibility.

Fifthly. Because improper evidence was received against the

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said John Pickering when neither he, nor any person in his behalf, nor any member of the Court could assign reasons for objections against its admission. And we refer particularly to the testimony of Michael M'Clary, of Richard Cutts Shannon and of Edward Hart, who were permitted and required to give their opinions and *common report*, as to the cause of the said John Pickering's insanity and disorders, while at the same time the opinion of his family physician and testimony of that opinion on the same subject, were excluded.

Sixthly. Because from all these circumstances we are of opinion that the said John Pickering has not had the benefit of an impartial trial; that he has not had an opportunity or the possibility of being heard or defended either by himself or his counsel. And

Seventhly. Because, although believing in the present state of the testimony received, that the said John Pickering is *not guilty* of the charges alleged against him in the said four Articles of Impeachment, we have not had either the time or the means which we conceive necessary and proper for ascertaining the facts, so as to enable us to pronounce his acquittal.[1]

TO LOUISA CATHERINE ADAMS

QUINCY, 25 May, 1804.

. . . . . .

As to Madame de Staël's opinions upon the subject of divorce and the marriage vow, they are such as might be expected from her history and her character. After having sacrificed all decency as well as all virtue in her own conduct, it is natural enough to find her torturing her ingenuity to give Infamy itself a wash of plausibility. It is one of the wise discoveries of the French Revolution that the marriage vow is absurd, because it promises love *for life*, which, say they, is promising what is not within our own power. I remember

[1] This paper was not acceptable to Pickering.

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that when the great regenerating French National Convention passed their law to make divorce just as easy as marriage, this was the decisive and triumphant argument with them. Yet the very same men, who could not promise to *love* anything for life, unanimously took within a week afterwards an oath of eternal *hatred* to monarchy. They could vow to *hate*, not to *love*. Their objection, however, is not true. Honest and virtuous minds *can* promise to love for life, and can perform the promise. Thousands and thousands of examples prove it. But when the heart has long been wallowing in the kennels of corruption, it infects the understanding and prevails upon it to make common cause.

I have been amusing my leisure with the writings of a French woman of another age and a different character. I mean with the letters of Madame de Sevigné, of which I had read some volumes heretofore. She lived at a time when the morals of high life at the court of France were not very rigorous, but her own conduct was always exemplary. Her letters are full of wit and playfulness, but they are at the same time replete with honorable sentiments, with pleasing description, with characters sketched at a glance; with infinite variety of anecdotes, made to entertain by the manner in which they are told, even when of the most inconsiderable nature in themselves. . . .

TO LOUISA CATHERINE ADAMS

QUINCY, 17 June, 1804.

. . . . . .

Our state legislature have had some very animated debates within the last ten days. If you read the Boston papers you may have remarked the *answer* of the Senate to the Gover-

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nor's speech.[1] I believe Quincy drew it up. It contains some remarks which stirred the blood of several gentlemen, who thought that every censure upon political hypocrites and impostors must of course be meant for them. They attacked it with no small violence, but without success.

Then came on a question about the manner of choosing electors for President and Vice President, whether by districts or by a general ticket. The latter was adopted after long and bitter opposition, among the supporters of which Mr. [Perez] Morton has made himself very conspicuous.

Last of all they have begun to carve out work for their Senators in Congress. A motion has passed the House of Representatives,[2] and either has or probably will go through the Senate to instruct the Senators of the state in the national legislature to use their endeavors for obtaining an amendment to the Constitution of the United States, whereby the representation of slaves shall be done away. All this I know only by hearsay and the newspapers, for I have not been near Boston since the General Court met. . . .[3]

TO LOUISA CATHERINE ADAMS

QUINCY, 13 July, 1804.

. . . . . .

I had seen in some newspaper an account of one incendiary attempt at Mount Vernon, but am surprised that it should so often have been repeated without detection.[4] We have

[1] Printed in the *Repertory*, June 15, 1804.

[2] Introduced by William Ely, representative of Springfield.

[3] The original form of these instructions are printed in the *Repertory*, June 15, 1804; and a copy of the final form is in the Adams Mss.

[4] "There have been five attempts made to destroy Mount Vernon. Mrs. Washington dare not sleep there when Mr. Washington is from home. A few days since

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just now seen published the famous charge of Judge Bowen to a grand jury in Georgia, which you will find in some of the papers.[1] I think it to the credit of the Georgia people that they suffered him to get away with a whole skin. For although there is nothing more strong as to principle in the charge, than Mr. Jefferson himself has published in his *Notes on Virginia*, yet Bowen went one step further. He drew the inference from the theory, and then the madness of the doctrines appeared in full view.

I wish the report you have heard, that Mr. W. Pinkney, on his return to this country, is to be appointed Attorney General, may prove to be well-founded, but I suspect Mr. Lincoln will not so readily loosen his hold of the place. It seems the successor to Mr. Livingston at the Imperial Court of France is to be General Armstrong, and General Smith must yet content his ambition with being *uncle-in-law* to his imperial highness, the Arch Duke Jerome. This much for liberty, equality, fraternity, French Republics, one and indivisible, and the unalienable rights of man.

TO LOUISA CATHERINE ADAMS

QUINCY, 19 July, 1804.

. . . . . .

Conversation now can scarcely turn upon any other subject than the late horrible duel at New York. The circum-

a servant went into the cellar for something in the evening, and found it in a blaze. They put it out with difficulty and on searching the cellar discovered a barrel filled with tar shavings, etc., prepared to set fire to. The gardener, an Irishman, is supposed to have done it, and has been confined in consequence; but this last attempt has been made since his confinement." *Louisa Catherine Adams to John Quincy Adams*, July 4, 1804. Ms.

[1] See *Massachusetts Spy*, May 16, 30, 1804. Jabez Bowen, Jun., was judge of the Superior Court for the Eastern District of Georgia.

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stances which led to it, and the manner in which it was conducted, are as yet very imperfectly known; but I cannot conceive any possible circumstances which can justify the conduct of Mr. Burr, either preceding the fatal day, or immediately subsequent to it. His principal aim appears to have been to make a display of indifference and unconcern, and this he did in a manner which in its fairest light can only be considered as an excess of affectation.

22 July, 1804.

. . . . . .

We have now seen the correspondence between Mr. Burr and General Hamilton which led to their fatal meeting, and I am fully confirmed in the opinion I had entertained of the transaction before. Mr. Burr began by making a demand of General Hamilton which he must have known Hamilton could not, and ought not to answer. To make the matter more sure he couched the demand in terms at which a much cooler man than Hamilton must have spurned. The substance was so vague and indefinite, as to render impossible the very avowal or disavowal it affected to require. The form was studied to provoke and insult, by an assumption of superiority which a man of spirit could not submit to. Hamilton saw through the artifice, and yet had not a sufficient control over his own passions, or a sufficient elevation over the prejudices of the world to parry it. Had he omitted half a line in his first answer which must be considered as inviting a challenge, I see nothing on his part of the correspondence against which any reasonable objection can be raised. The conduct of Mr. Burr through the whole affair appears to me strongly to corroborate that opinion of his character which his enemies have long ascribed to him.[1]

[1] See Adams, *New England Federalism*, 163.

"On Thursday (the day before yesterday) there was a funereal procession and an

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You remember they used to joke at Berlin about Prince Louis (Bonaparte), but in sober sadness it has come to the same thing. This is the turn of one tire more in the wheel of the French Revolution, but it has not yet got completely round. Poor Jerome, who is so cavalierly left out of the line of aggrandizement and succession, must be content to sing to the tune of "All for Love, or the world well lost." And well lost in my opinion it really will be for him. I have been told, however, that in his marriage articles there is an express provision made for the possible case of his getting sick of his bargain and casting off the lady—a stipulation which is equally marked with humility and with prudence on her part.

As to titles, if what we see in the papers be true, the French are going to plunge into them with all the fondness of children for a new rattle. There is Imperial Majesty Josephine, Imperial Highnesses Joseph and Louis, Grand Elector, and High Constable, Serene Highness, Arch Chancellor Cambacérès, and Arch Treasurer Lebrun, etc., etc. Was there ever so horrible a tragedy concluded with so ridiculous a farce?

TO LOUISA CATHERINE ADAMS

QUINCY, 23 September, 1804.

. . . . . .

We have had in the course of the last week a celebration of an unusual kind here. It is called the installation of a Lodge

eulogium upon General Hamilton delivered in the Chapel Church at Boston, by Mr. Otis. I did not go to hear it; for although far from being disposed at this time to contest the merits of Mr. Hamilton, neither the manner of his death, nor his base treatment of more than one of my connections, would permit me to join in any outward demonstration of regret which I could not feel at heart. Otis, as you will readily believe, acquitted himself very well of his performance." *To Louisa Catherine Adams*, July 28, 1804. Ms.

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of Free Masons. It was performed at the meeting house, with a sermon by Mr. Whitney, and a prayer by Mr. Harris, preceded by a Masonic procession to the house, followed by a Masonic dinner at the Town Hall. All of which we were invited by the lodge to attend, and did attend, excepting my brother who was detained at home by a visit from Mr. Palaeska, who came up from Boston to dine with him. The weather was somewhat unfavorable, as during the procession there was a small rain that annoyed us not a little. The ceremonies have nothing in them very striking, but the house was very much crowded, and B. Russell, who performed a conspicuous character as Marshall of the Royal Arch Lodge, has given a pompous account of the day in his *Centinel*.

I was last evening at Mr. Quincy's to pass an evening hour, and as he was not nor any of his family at the celebration, I gave them an account of it. This naturally leading to a conversation on the subject of Free Masonry in general, I indulged myself at some length and with great freedom on the nature of the institutions and its effects, until all at once it came out that Quincy himself was of the brotherhood. This incident, however, as the whole conversation had been perfectly good humored, contributed only to divert us, and I tasked him for his inexcusable neglect of attending at the installation. . . .

I observe in the newspapers that somebody in London (I suppose it must be Dickins) has published in a volume my letters on Silesia, pilfered doubtless from the *Port Folio*. And to help the sale, has not only given my name, but added a despicable parade of rank and titles to it, which a rational man cannot hear thus applied without laughing. I can indeed as well as most people bear to be laughed at, when knowing the occasion to be trivial in its nature or not pro-

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ceeding from my own fault, and therefore I shall concern myself very little with this bookseller's device for gull-catching. But there was one of those letters which ought never to have been published at all, and would not have been but by accident and an inattention which I could not control.

It contained an allusion to the domestic history of certain characters we met at Dresden, and having no relation whatever to the Silesian tour, ought never to have been published with it. While the letters were confined to the *Port Folio* I consoled myself that this indiscreet part of the publication would never reach the persons to whom it must give pain, and who imputing it to me would think it very ill-return for civilities and good-offices. Now however it appears to me more than probable that some "d—d good-natured friend" will not fail to convey the obnoxious matter to those most affected by it, and they will think very hardly of me for it. It is, however, too late for a remedy. As to the publication itself, it will certainly not tend to place me on that point of literary fame to which I should aspire, if to any at all. The whole collection was written for my own amusement and that of my friends in this country, without any design for publication. The observations of my own, therefore, contained in them are superficial, and the whole valuable matter is taken from the German tourists and other writers on the province. The credit due for all this is of a very humble nature indeed, and if I should ever appear voluntarily before the public as a candidate for the reputation of *an author*, it would be with pretensions of rather more elevation. I must, however, be content with things as they are. If Heaven should grant me life and health, I hope at some future day to offer something of more value to the world. But as yet I am only preparing myself to undertake it, and like

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many other good resolutions it will perhaps never come to the maturity of accomplishment. . . .[1]

PUBLIUS VALERIUS [2]

Serious Reflections, Addressed to the Citizens of Massachusetts

No. I [3]

As the time is approaching when the People of this Commonwealth will be called to give their suffrages for electors of President and Vice President of the United States, and also of members for the national House of Representatives, it is of importance to them to fix the principles which ought to govern them in their choice. Candidates of various descriptions and of militating political sentiments will be held up to their view, and recommended to their suffrages, by the friends of the past and the partisans of the present administration of the general government. It is not my intention to advocate or to oppose the election of any individual, but as a sincere friend to the interests of my country, to submit some observations to my fellow citizens, concerning the principles to which I believe their own interest directs them, for the deter-

[1] "You will see that the Spanish Marquis [Yrujo] has given great offence to our friend Jackson by a very courteous attempt to make him subservient to his present political purposes. Jackson appears not to be well versed in the profundities of diplomatic skill, and not at all to understand the art of filing down corruption into patriotism. It is, however, possible that he may have given the Marquis's proposals a construction different from what was intended. He might only mean to obtain a vehicle for popular negotiation against the present administration among the federalists, such as he formerly used against their predecessors, with his worthy friends of that day. He was somewhat indiscreet indeed in talking about political intolerance, and an administration which he would not call a government, to a person so much of a stranger to him as Jackson." To *Louisa Catherine Adams*, September 30, 1804. Ms. On the incident see Henry Adams, *History*, II. 265.

[2] In the Adams Papers are the original manuscripts of Nos. 2, 3 and 5 of these articles.

[3] *The Repertory*, October 26, 1804.

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mination of their votes, between the several claimants to their favor.

The government of the United States is to be considered in a two fold view: First, as an association of the people, and secondly, as a confederation of the States which constitute the North American Union. The representation of the States is in the Senate, and that of the people in the House of Representatives. The duties of the members of these respective branches of the general legislature are correspondent to the stations in which they are placed. And consequently it behooves every senator to support and maintain the interests of the State by which he is delegated; as it is incumbent on the representatives to promote with a warm and honest zeal those of the people by whom he was elected. I shall not be understood as meaning to say that the senator of any State, or the representative from any section of the people, ought so exclusively to pursue the interests of his immediate constituents, as to wish that those of the whole union or of any part of it should be sacrificed to them; but that he should so far be devoted to those from whom he derives his powers, as on no consideration whatsoever to suffer their just interests to be sacrificed to the partial views and purposes of others. Addressing then the people of Massachusetts, I trust they will feel the force of the argument when I say: fellow citizens, in choosing your representatives, be sure to choose men who will support your own interests. Those of other parts of the Union, you may be assured, will be sufficiently represented and supported without your assistance. The people of Virginia will not choose Representatives who will abandon their interests for the sake of advancing yours; you cannot expect or wish that they should; let it be your care on your part to elect men, who shall have no bias on their minds, the tendency of which will be to prostrate your legitimate rights at the feet of Virginian policy.

Since the first association of the United Colonies at the dawn of the American revolution, there never has been a time, when it so essentially imported to the people of Massachusetts to make

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reflections like these, and to act conformably to them. During the war of the revolution and the first confederation, Massachusetts was among the first in support of the common cause. The treasures and the blood of her citizens freely flowed for the benefit of the Union, while afflicted with the miseries of War. After the peace, she exhibited in an eminent degree, the same enlarged and liberal spirit. She readily complied with the requisitions of Congress for raising funds to discharge the obligations of the public faith, and actually taxed herself by commercial regulations, until she found she was only raising rival, and less generous neighbors upon her own ruins. At the formation and adoption of the present, or rather the *late* national Constitution, her conciliatory spirit, and willingness to yield much for the general good were equally conspicuous. Equally conspicuous have they been during the administration of that government; and while she has uniformly borne more than her proportion of all the burdens, she has been content to share, at most, her equal part of the blessings derived from it. But neither under the old confederation, nor under the Constitution of 1787, had she ever, until very recently, a formidable party within her own bosom, whose systematic policy it was to make her peculiar interests a sacrifice to those of another quarter of the Union. The members of her own legislature, and her delegations to the national councils have been Massachusetts men, who felt it their duty to support by all fair and honorable means the measures most favorable to her interests, and who would have thought it treachery of the deepest dye to make themselves the servile instruments of a policy directly hostile to their own constituents. Now, however, this singular phenomenon has appeared: and at the late session of the General Court, the most unequivocal proof has been exhibited, of a strong party, who build all their hopes of success upon the basis of unlimited devotion to a system, the first feature of which is the annihilation of New England weight and influence in the Union.

It is painful to be under the necessity of stating this fact. It is painful to remark to what extremes faction and ambition have

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already proceeded in this country. But it cannot be disguised and ought not to be concealed. It is possible to believe that this subserviency to foreign views, and this immolation of their own interests have reached the mass of the people. The mass of the people have no private and selfish purposes to answer by recommending themselves to the favor of the national executive. They have no offices to obtain from the removal of honest, able and faithful federalists. They have no reward in prospect from the prostration of personal or political antagonists. They therefore have no motive to betray themselves. If then it be made manifest to them, that a numerous and closely combined party of the men in whom they have placed their confidence have, whether from personal or from factious motives, surrendered themselves up without reserve to a political system in direct hostility to the fair and just interests of the people, whom they represent, the danger that impends will be fully disclosed, and the effectual guard against it will be seasonably applied. The confidence which has been betrayed will be transferred, from hollow professions, to solid merit; from fawning flattery, to honest zeal; from selfish faction, to pure patriotism; and Massachusetts will recover that weight and influence in the Union, which some of her own sons have unblushingly attempted to wrest from her.

I am aware that assertions like these ought not to be made on light grounds. In the ardor of political controversy it is but too common to see men entertain unjust and unwarrantable suspicions of their adversaries, and impute to them motives, which are not theirs. So long as the party in this Commonwealth, in opposition to the present administration of its government kept within the bounds of decency and moderation; nay, so long as they were gratified by the arts of popular courtship to blazon their own pretensions to favor, and to run down opponents, whose public merits and private virtues could never suffer by comparison with their own, however ungenerous and censurable their procedure, its effects were not immediately pernicious and dangerous to their country. When at one of our annual periods of election, their heaviest

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engine of detraction against the governor of the Commonwealth was a charge of carriage hire for attendance at a funeral; when at another their most elaborate topic of reproach, was *the rent of the Province House*, their patriotic economies were estimated at their true value; their slanders were even productive of good effects, for when complaints like those were dwelt upon, with the choicest of their bitterness, the evidence was irresistible, that no reasonable ground for complaint existed. But when from the circulation of petty calumny against the governor, they proceeded to bold assault upon the clearest and most important interests of the State, when after spending their most envenomed arrows in fruitless efforts against individual virtue, they selected their last shaft to aim at the vitals of their country, it became the duty of every real friend to that country to resist, and expose them.

At the late session of the legislature three occasions happened when the party in opposition to the present administration of the Commonwealth, discovered their unqualified devotion to the interests of Virginia, or rather to the views of Mr. Jefferson. The first was a motion for making certain additions to the answer of the House to the governor's speech. The object of this was personal adulation to the President of the United States. The second was the vehement opposition and indecent protests against the choice of electors for President and Vice President, by a general ticket. And the third was the struggle against the motion of Mr. Ely for instructing the senators of the Commonwealth in Congress, to propose an amendment to the national Constitution, for the purpose of correcting that humiliating inequality which gives a representation to the slave-holding Southern planters, nearly double to that of the Massachusetts farmer. On each of these transactions I shall submit to the public remarks which will tend to elucidate the motives in which the conduct of the opposition party originated. I shall examine the arguments alleged by themselves, and endeavor to point out the difference between their outward practice and their real purposes. After the lessons of experience which have so recently been taught to all the republicans by the

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terrible example of the French revolution and its last catastrophe, the people of Massachusetts, turning an eye upon themselves, have the deepest interest to inquire, what are the real designs of that party, which has always held up the revolution as the theme of their highest admiration and applause.

II [1]

When the answer of the House of Representatives of the Commonwealth, to the governor's speech, at the opening of the last session, was in debate before the House, a long panegyric upon the present administration of the national government was moved by Mr. Perez Morton, of Dorchester, to be inserted in the answer by way of amendment. Mr. Morton, both in the motion upon which I am about to remark, and in the other party measures of the session, assumed exclusively the lead in the House of Representatives; the stability of his political opinions, their character and their tendency, are of no small importance as indications of the views which actuate him and his followers.

Mr. Morton of late years has been a very ardent partisan of that political denomination among us who, by a manœuvre borrowed from France, the prototype of all their party tactics, and suggested to them in the famous intercepted letter of Fauchet, the minister of Robespierre in this country, affect exclusively to style themselves *republicans*.

Mr. Morton is, of course, a profound admirer of the sublime virtues and stupendous talents of Mr. Jefferson, whose tender sympathies for the French revolution have been so perfectly congenial with his own. This admiration he has more than once anxiously endeavored to communicate to the legislature of Massachusetts. In the January session of 1802, he labored with the burden of his admiration so much, that he attempted to bring it forth in the form of an *Address* to the President of the United States; and not having at that time any of the topics for approbation which he has now

[1] *The Repertory*, October 30, 1804.

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chosen to specify, he was at no loss for others equally well founded. At that time the principal achievements of Mr. Jefferson's administration had been the repayment of Callender's fine; the *nolle prosequi* to screen Duane from punishment; the squandered thousands upon the *Berceau;* the dismission of numerous honest, capable, and faithful servants of the public, to make way for their counterparts of an opposite sect; and above all the comment upon the inaugural speech, in the answer to the merchants of New Haven. The destruction of the federal judiciary was resolved, but not then accomplished. Still Mr. Morton had no dearth of materials for his address, and could he have persuaded a majority of his fellow legislators to participate in his zeal, was even then, no less than at present, ready

> To crook the pregnant hinges of the knee,
> Where thrift might follow fawning.

The two succeeding winters, Mr. Morton has passed at the city of Washington, as a humble solicitor to Mr. Jefferson and his administration, for simple justice in a private concern, without being able to obtain it. He is personally interested in what has been called the Yazoo purchase of Georgia lands; and has been employed by the other proprietors as their agent to support their claims upon the government of the United States. The last winter, after having been fed with airy promises year after year, and after a majority of the national House of Representatives had decided that these claimants ought to be indemnified, behold, Mr. John Randolph came out with a string of resolutions, the purpose of which was to declare that no such indemnity should be given; and Mr. Thomas Randolph, *Mr. Jefferson's son-in-law*, in a speech highly celebrated for its eloquence, the only speech he made during the whole session, supported the principles of his namesake.

It was observed by Voltaire, that in his time the Parisian courtiers were in the constant practice of riding post haste to Versailles, to receive buffetings which, post haste, they went back to return at Paris. Just so it appears to be with Mr. Morton. He goes

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annually to Washington, to ask justice for himself and others. He implores it as a favor, and it is denied; but he abates not a jot of heart and hope. Mr. Jefferson he knows favors his claim, though Mr. Jefferson's son-in-law reserves all the thunders of his eloquence to oppose it; another winter Mr. John Randolph's influence may be diminished in the House of Representatives; or perhaps his docility to private lessoning may become such that he will withdraw his opposition. So Mr. Morton comes home; perseveres in his admiration of Mr. Jefferson, with unabating fervor, and returns the buffetings he received at the federal city, in offensive reflections upon the majority in the Massachusetts legislature.

Let us now turn from the man to the motion. As in the former we find certain sources of devotion to Mr. Jefferson and a Virginian policy, other than those of public spirit, so in the latter we shall find causes of admiration alleged distinguishable by a similar remoteness from the fountains of truth. In short, Mr. Morton appears to be gifted with the endowment of the great McFingal — he sees what is not to be seen.

The first assertion which evinces this sharpness of his optics is that which he has chosen to place in the front of his commendations. "That the general government, without the aid of direct taxes and burthensome excises, have effected an important diminution of the public debt by the appropriation of seven millions of dollars annually to that object."

1. It is not true that the general government has appropriated seven millions of dollars annually to the diminution of the public debt.

2. It is not true that the portion of the old debts of the United States which they have discharged was paid off by them without the aid of direct taxes and excise.

3. It is not true that the general government, under the present administration, has effected *any* diminution of the public debt. On the contrary, they have effected a very great addition to it.

Here then are no less than three mistakes in point of fact com-

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mitted by Mr. Morton at the threshold of his *plausive tale;* mistakes which it is much easier for me than for him to account for his having committed.

I know very well that in all the newspapers and party publications of the faction, for those two years, the falsehood has been perpetually repeated in the truth of detection, that seven millions annually were appropriated to pay off the principal of the public debt. It is also known that on the 29th of April, 1802, an act of Congress passed, the *title* of which affirmed that it made provision for the payment of the *whole* of the public debt; but if Mr. Morton in the heat of his affection for the present national order of things, will take upon trust newspaper falsehoods, or the titles of acts of Congress, he must not expect that the people of Massachusetts will be equally credulous or equally obsequious.

By the act of 29th April, 1802, the annual sum of seven millions three hundred thousand dollars was vested in the Commissioners of the Sinking Fund, "to be applied by them to the payment of *interest* and charges, and to the reimbursement or redemption of the principal of the public debt;" and in this sum are included all the appropriations which had before that time been made towards effecting the same purpose.

Now in the first place, appropriations had been made under the former administrations for the regular payment of all the interest and for the reimbursement of the greater part of the principal of the debt. The repayment, for example, of the old six per cents and deferred stock had been going on for years before this act of 29th April was made. The appropriation of seven millions then, was little or nothing else than renewing provisions which had already been made.

And secondly, of this appropriation, a large portion, being applied to pay the *interest* of the debt, could have no effect to diminish the debt itself; since the interest might be paid to the end of time without any diminution of the debt.

If seven millions annually had been appropriated to the *diminution* of the public debt, it must of course have followed that in the

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course of two years since the appropriation was made, fourteen millions of dollars would have been paid off.

But the President of the United States, in his message to Congress at the opening of their last session, states that the amount of debt paid in one year preceding was "about three millions one hundred thousand dollars," and in two years "more than eight millions and a half." A great part of this had been paid before the act of 29th April, 1802, and consequently was provided for before the pretended annual appropriation of seven millions.

And by the report of the Commissioners of the Sinking Fund, made on the 6th day of February last, it appears that of these boasted seven millions, nearly five millions during each of the years 1802 and 1803 were paid "on account of the reimbursement and interest of the *domestic funded debt*," under provisions enacted long before Mr. Jefferson's administration commenced.

With what face then can it be said that under his administration, the general government has appropriated seven millions annually to the diminution of the public debt?

But whatever the amount may be of the national debt discharged by the present administration, it has not been effected *without the aid of direct taxes or excise.*

In proof of this, Mr. Morton, please to look to the official account of receipts and expenditures of the United States for the year 1802, and you will find upwards of six hundred thousand dollars in the course of that year received into the treasury from the produce of the internal taxes, the principal part of which was excises, and upwards of two hundred thousand dollars from the direct tax. Here then is nearly a million of dollars, which in the year 1802 aided toward the payment of the national debt. Will you tell us that you only meant to say the present administration had renounced the aid of excise and direct taxes *for the future?* Then I reply that you meant one thing and said another. Your assertion was, that the general government *had*, without the aid of direct taxes or excise effected an important diminution of the national debt. But they have not even renounced this aid for the

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The statement is not made for the purpose of censuring any part of the proceedings of the general government in relation to the Emperor of Morocco. Our seamen were very justly entitled to the prize money for their captures. But the simple fact is that the people of the United States have paid many thousand dollars, and restored two armed ships; for what? Why, for the Emperor of Morocco to disavow the violation of his treaty with us! Is this dictating terms of peace?

But further: the whole of these transactions, excepting the provision for the payment of the prize money, took place, without a single disposition of the general government concerning it. The violation of the treaty, the capture of the Moorish ships, the disavowal of the Emperor, and the restoration of his cruisers to him, all took place before the government had a suspicion of a rupture with Morocco. Undoubtedly the most honorable credit is due to the Captains Bainbridge and Rodgers and their gallant companions, for the capture of the Moorish ships; and their restoration by the consul, Mr. Simpson, to obtain the recognition of the old treaty, was, as the President justly styles it, "temperate and correct conduct." But it must be a braggart temper, indeed, which can boast of *such* an accommodation, as dictating terms of peace.

If this idle rodomontade is a reflection upon the modesty of the nation, the other part of the assertion, that the general government has *rendered harmless* the hostility of other Barbary powers, is an insult upon the calamities of our countrymen. What! when by the hostilities of the very meanest of those powers we have lost one of the best frigates in the navy. When her brave commander, and four hundred of our fellow citizens are languishing in captivity at Tripoli, are we to be told that their chains are rivetted by harmless hostilities? When nearly a million of dollars a year have just been added to the burdens upon our commerce, for a *Mediterranean fund*, to support the dispositions now first made of an efficient armament against those paltry pirates, is it a time to talk of having rendered their hostilities harmless? We read of the Emperor Caligula, that he made a triumphal entry at Rome, because he

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had picked up cockle shells on the beach of the German ocean; Mr. Morton improves upon the ideas of Caligula, and goes to the dungeons of Africa to pluck laurels for the brows of Mr. Jefferson.

Of the purchase of Louisiana I shall not now undertake to discuss the policy. That it is a great and important feature of Mr. Jefferson's administration is unquestionably true. Whether it will prove a blessing or a curse to this Union, it is only future time that can determine. This much we know, that the price of the purchase will be paid almost entirely by the Eastern and Atlantic states. Thus much we know, that when admitted as members of the Union, the whole weight and power of the purchased territories will be thrown into the scale of southern and western influence. In the relative situation of the United States, New England and the Maritime States have been constantly declining in power and consequence; they must continue to decline in proportion as the growth of the southern and western parts shall be more rapid than theirs. This vibration of the centre of power, being founded in nature, cannot be resisted, and as good citizens it is our duty to acquiesce in the event; but to this increasing ascendancy of the south and west, the acquisition of Louisiana adds an immense force, never contemplated in the original compact of these states. We are still to learn whether this excessive southern preponderance will be enjoyed with moderation, or used with generosity. Should it prove otherwise, and the present symptoms are by no means favorable, the people of America will have no cause to thank Mr. Jefferson for his Louisiana bargain. New England particularly, the dupe of her own good nature, will find that she has been made to bear the charge of aggrandizing a rival interest, for the degradation of her own. We are willing to hope for better things; but while the cost of the Louisiana purchase hangs like a mill stone upon the neck of our commerce; and while all its advantages are in fallacious hope and precarious conjecture, it is not a time for New England men especially to celebrate as an achievement deserving their gratitude, a measure of so very problematical an issue.

In arriving at the last specific item of Mr. Morton's eulogium,

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which speaks of our government's "desire to remain in peace with all the belligerent nations of Europe, and their *firmness* to vindicate the rights of our citizens against the aggressions of any," we are at a loss to imagine to what solitary fact his words can possibly bear an allusion. The desire to remain at peace with all the nations of Europe *but one* has, indeed, been conspicuous enough; but their firmness to vindicate our rights! Where has it ever been manifested. There is but one way of accounting for Mr. Morton's inferences from facts, and that may be called, the rule of *inverse* deduction; or the rule of making inferences in direct contradiction to their premises. Or to adopt the words of Hudibas,

As by the way of innuendo
Lucus is made a *non* lucendo.

Thus when Mr. Livingston in a public memorial formally proposes that France and the United States should make a *common cause* against Great Britain, Mr. Morton thinks it an indisputable proof of our government's desire to remain at peace with all the world. Mr. Monroe, as far as any part of his negotiations is known to the public, is constantly giving similar proofs of a pacific disposition. The treatment of the British minister at Washington has been exactly conformable to such indications, and Mr. Livingston, to place this desire of peace beyond all question, has recently repeated an outrageous insult upon the British government.

On the other hand what rights of our citizens has the government vindicated against any aggressions? Mr. Morton says our commerce is *less interrupted*, and says it at the very moment when foreign armed ships, both English and French, have violated our own territorial rights, and taken men from our merchant vessels, men within our own harbors. Never since the United States have been an independent nation, never have they been so grossly insulted; and what satisfaction has our government obtained? What satisfaction could they ask? When every article of complaint they could advance might be retorted with tenfold recrimination upon themselves.

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We have waded through the sickening detail of Mr. Morton's praises, and shall have but little to remark when he comes to generalize. It is so easy to say that the objects and pursuits of the government have been *one continued effort* to promote the faith, justice and honor of the nation; and the peace, security and happiness of all its citizens. It is so easy to say all this without conveying or even forming any fixed or determinate idea, that we may consider the object of those words to be rather to round a period, than to have any meaning. To all general encomium on this administration, the destruction of the judiciary, and the system of political *removals* from office, must forever remain insuperable objections. The first has overthrown all confidence in the stability of justice, and the second has given the pernicious example of setting up the government as the prize and the instrument of faction. These two corrupted streams, issuing from the same fountain, will spread their pestilence over this Union, beyond the lapse of ages to purify. They have entailed a curse upon our posterity, which the blessings of a thousand Louisianas will never compensate.

Such then being the materials of which Mr. Morton's motion consisted, it is not at all surprising that when its accuracy was once becoming a subject of discussion, he should have shrunk from the test and withdrawn it from the scrutiny of his opponents. But it still remains for him to account for having produced a rhapsody so grossly variant from the truth, and so abhorrent to the sentiments of the legislature and people of Massachusetts. It appears that he withdrew the motion on consultation with some members of his own party. This is thus far honorable to them; since it shows that they were not prepared to go with him into the rapturous regions of romance, for the purpose of daubing Mr. Jefferson with unmerited flattery; but why did he produce it? Was it to operate as a letter of recommendation for himself; as a passport to office from which some honest man must be turned out? Or was it to propitiate the evil genius of Mr. John Randolph to the Yazoo claimants of Georgia lands? If the former was his motive, he may perhaps have reason for his hopes. We have seen services of a similar

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character very lately rewarded by the office of Commissioner of Loans; and there are still a few federalists of unimpeachable worth, who may be thrown breadless upon the world to accommodate candidates of such exemplary fervor. But as to the Yazoo purchasers, they may rest assured that ferocity will give as little, or less aid to their cause than its justice. Mr. John Randolph's opposition is not thus to be appeased or overpowered, and the next winter as the last, their agents will have the most indisputable proofs of Mr. Jefferson's favoring their claims; but it will so happen that they will again be set aside. Desirous as Mr. Jefferson may be to have justice done, severe as his *one* continued effort may be for their relief, it can only be obtained by the vote of both houses of Congress, and the world knows how little influence he has over them. Mr. John Randolph knows very well when to oppose a motion "from whatever quarter of the House it may come," and if on any improper occasion Mr. Jefferson's influence should be in hazard of weighing too much in the House, his own sons-in-law will take care to restore the balance. The sins of a first purchaser will be visited upon all the subsequent assignees, and the corruptions of a Georgia legislature will be punished by the spoils of New-England claimants. Grant, however, that the issue should be more favorable to their claim, grant that the services of so zealous a partisan should find favor in the sight of the national rulers, it is obvious that the motives which led to such flaming panegyrics as those of Mr. Morton's motion are partial, are private, are personal, that they relate only to particular interests, and are in unequivocal hostility to the interests of the people.

No. IV [1]

The second occasion upon which the Virginian faction in the late session of the State legislature displayed their determination to sacrifice the interests of the State to the purposes of Mr. Jefferson,

[1] *The Repertory*, November 2, 1804.

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was in their conduct respecting the mode of choosing electors of President and Vice President. That the choice should be made by the people was agreed on all sides; but whether by a general ticket, where the whole people should vote for the whole electoral body of the State, or whether by separate districts, conformably to the mode of choosing members for the national House of Representatives, was made a question upon which one would have thought the faction deemed their whole salvation to depend.

The difference in point of principle, between the two modes of election was not worth a cavil. But the difference in the result was obvious. Had the choice by districts prevailed, it was contemplated that a proportion of partisans of Mr. Jefferson would be chosen among the electors, perhaps nearly equal to that he has in the House of Representatives. The body would be divided against itself, and the voice of Massachusetts in the choice of President of the United States would be annihilated. A general ticket they knew would give the clear, full, and unequivocal voice of the State, and that voice the faction knew was not in their favor. They dreaded to hear it, and they struggled with all their violence and all their cunning to evade it. Hence, after attempting in every shape and form to defeat the resolution for choosing by a general ticket, they concluded their career of opposition by offering in each House a *protest* against it, assigning no less than *nine* reasons for their preference of district elections over a general ticket. That this measure was concerted by the leaders of the faction in both Houses is apparent from the sameness of their pretended reasons; but so extreme was the violence and indecency of the language used in the protest offered to the House, that many of the members, who by a misplaced confidence had signed the paper without knowing its contents, declared their [dis]approbation of them when they discovered what they were, and although the signatures amounted to 101, only 53 voted for inserting the protest on the journals of the House.

As the reasons alleged were not the real operative reasons, their weakness makes it almost superfluous to refute them. Let us,

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however, as briefly as possible notice the arguments which are given to the world in justification of those intemperate protests.

First. It is said that the elector ought to know the character and sentiments of the candidate for whom he votes,—which is impossible in so extensive a territory as this State; and then the protest of the Senate goes on to define the boundaries of the Commonwealth, and tells the good people, how many original colonies, judiciary districts, counties, towns, and individual souls it contains.

But there can be no imaginary difficulty in the selection of nineteen persons throughout the Commonwealth, whose character and sentiments will be sufficiently known to all the electors for every necessary purpose of such an election as this. If the office elected to were of a nature to require particular talents, or the exertion of a peculiar character, as of a representative, a senator, a county treasurer, or a selectman, there would be some color for this objection. But in this case the persons chosen have but one act to perform, and that is to vote. They are merely the proxies of the people to deliver the suffrage which they cannot conveniently give themselves, and the only quality which the primary elector is interested to know of the candidate is, *for whom he will vote*. Now I do not hesitate to say, that this will in the general course of things, be at least as well, and perhaps better ascertained by a general ticket, than by a choice in districts. In the first formation of the tickets recommended by the parties, each of them will undoubtedly select such men as will be known to possess the weight and influence proper to promote the success of the ticket in his district, and at the same time men whose opinions have been so clearly pronounced as to leave no doubt of the complexion of their votes. The unity of object and of exertion throughout the State will give a more pointed energy to the support of every individual candidate. The protesters themselves will find none of the difficulty which they allege, nor will their adherents have any of that ignorance of the character and sentiments of those candidates for whom they will vote, which they so pathetically deplore. If their ticket should fail of success, it will not be for want of certain knowl-

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edge how their candidates would discharge the duties assigned them.

Second. Election by a general ticket is said to be repugnant to the habits and usages of the people. But the national convention itself, under which this election first originated, is so recent in date, that no usage can be predicated upon it. The election has hitherto occurred but four times, and has not been uniform in mode. The whole people have always voted in this manner for the two highest executive officers of the State, and in one instance for a member of Congress. Every county annually chooses its senators by a general ticket. So that this mode of election is perfectly familiar to the people throughout the Commonwealth, and there can be no more difficulty in forming or delivering a ticket of nineteen names selected from the whole State, than a ticket of five or six names selected from a whole county.

Third. "Because this mode is calculated to open the door to intrigue and imposition on the people."

The protesters have not explained their grounds for this assertion, which is merely matter of *opinion*. Without contesting their skill and experience on this head, it may be observed that this mode of election has been sanctioned by all the principal States, in which their party predominates. The doors of intrigue and imposition will be open in every mode of election to a people that will tolerate them; but on general principles it is more natural to infer, that these corrupt engines lose their efficacy in proportion as the number of voters is increased.

Fourth. This mode of election is fallacious, because the candidate selected from any given district may vote contrary to the wishes of a majority in that district.

The selection of a candidate from each of the seventeen districts which elect a member to Congress must have been for the purpose of distributing equally throughout the Commonwealth the honors of an important appointment; an example which the general government, in their *one continued effort* for the happiness of all, have yet to learn. As each elector will be an elector for the whole Com-

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monwealth, undoubtedly the partial majorities of single districts will merge in the general majority of the whole State. It will not array the vote of one county against the vote of another, and thus reduce the influence of the Commonwealth to a level with that of the smallest State in the Union; but will give to Massachusetts her full constitutional weight. This is no fallacy. The fallacy would be in such a difference of the modes of election, that while all the southern States take care to give unanimous votes, the people of Massachusetts should be amused with a mere show of voting, and in fact have no voice at all.

Fifth. This objection included so gross and pointed an insult upon the majority of the legislature, that it was finally disavowed by many of the signers themselves; nor have they chosen to publish it with the rest.

Sixth. This is a repetition in other words of the fourth objection. A complaint that one party, meaning their own party, will be deprived of their due weight in the election. But that party will have much more than its due weight, by securing to themselves the whole weight of such States as Virginia, Pennsylvania and New York. The language of those gentlemen is, where we are the minority we must have our full proportion, and where we are the majority we will have all.

Seventh. This mode of election, it is supposed, will have a tendency to excite heats and animosities; and to disturb the harmony and tranquillity of the State.

This is another conjectural objection. It is just as easy and much more agreeable to anticipate that it will be productive of more harmony and lead to unanimity. It seems much more probable that an obstinate and persevering attempt to degrade the State, to destroy its influence in the Union, and to reduce its condition in the political orb, from that of a primary planet, to that of the meanest of satellites, should produce discord and irritation.

Then come the two reasons why the protesters prefer the election by districts. These are only repetitions of some of those before adduced as objections against the mode which prevailed.

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Such are the arguments, if arguments they can be called, by which a large minority in both branches of your legislature, fellow citizens of Massachusetts, varnished the attempt to deprive you of your constitutional suffrage, at the approaching election of President and Vice President. For this was the undoubted real motive and design in this attempt. They know that if your opinion should be fully and fairly taken, it would be against their party measures, party projects, and party candidates. They wished therefore to drown your voice altogether. It was impossible for them to give a more convincing proof that *their attachment to their faction overpowers their attachment to the Commonwealth.*

In order to set this observation in its true light and to show its full importance, we must again remark, that if the mode of choosing electors by single districts were established throughout the Union, Mr. Jefferson and his administration would lose so many electors, that his re-election would be doubtful in the highest degree. It is at least certain that they dared not make the experiment. For when the amendment to the Constitution which was carried through Congress last winter to secure the re-election, Mr. Huger, a warm federalist moved, on the 20th of October, at the very commencement of the session, as a further amendment to be sent out to the State legislatures with the other:

"That the State legislatures shall from time to time, divide *each* State into districts, equal to the whole number of senators and representatives from each State in the Congress of the United States; and shall direct the mode of choosing *an elector* of President and Vice President in *each* of the said districts, who shall be chosen by citizens having the qualifications requisite for electors of the most numerous branch of the State legislature; and that the districts so to be constituted shall consist, as nearly as may be, of contiguous territory, and of equal proportion of population, except where there may be any detached portion of territory, not of itself sufficient to form a district, which then shall be annexed to some other portion nearest thereto; which districts, when so divided, shall remain unalterable until a new census of the United States shall be taken."

Here we see this very measure of voting for electors by single

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districts, proposed as a general measure to operate throughout the United States. But observe, it was brought forward by a federalist; for although the legislature of New York had expressly instructed their senators to propose this very amendment with the other, those senators had obeyed only one-half their instructions. They brought forward the discriminating amendment, and passed over the other in total silence.

Mr. Huger's motion was committed to the same committee who had the other under consideration, but they did not act upon it at all; and although Mr. Huger pressed the subject as often as he could during the session, he never could prevail upon the majority in the House of Representatives, so much as to discuss his motion; and on the 2d of March, when he moved that it might be referred to a committee of the whole, his request, though supported by all the federal members, *was negatived.*

I intreat you, fellow citizens, to compare this conduct of the same faction so nearly at the same time, in the national House of Representatives, and in your State legislature. The only manner possible whereby a choice of electors by single districts can be made to operate fairly and equally throughout the Union, is that it should be *uniformly* established. Yet when this is proposed in an assembly, where Mr. Jefferson's majority is all powerful, a member of the most respectable character, backed by the instructions of one of the first legislatures in the Union, is refused even the discussion of the proposal; and at the same time your own legislature cannot secure to you the very same advantage, to which Mr. Jefferson's partisans so tenaciously adhere. Where they hold it, they cannot place you on the same footing with your Virginian fellow citizens, without being grossly insulted, and without protests of your own servants against this your enjoyment of equal rights.

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V[1]

To an impartial spectator of passing events, the movements of political factions in a free government are always objects of curious and interesting speculation. In countries approaching so near a democracy as these United States, it must ever be the primary object for the leaders of party to court the favor of the people. There are two modes of accomplishing this with success; one of which consists in rendering real service to the public, and the other by professing extraordinary solicitude for the people, by flattering their prejudices, by ministering to their passions, and by humoring their transient and changeable opinions. These two processes for the attainment of the same object, are scarcely ever combined together, and as the ambitious and aspiring must universally be impelled to aim at the end, so the choice of the means takes its complexion from the individual character of every candidate for power through popularity. In times of national difficulty and distress, when the service of the public is a service of danger and of toil, when *deeds* are the only test of attachment to the country, and mere words are estimated at their proper worth, the *patriot by action* generally obtains the ascendancy; but in days of peace and tranquillity, when the duties of public life are little more than a routine, when honor without peril, and profit without sacrifice is the result of public employment, then the *patriot by profession* takes his turn, and often bears away the palm from his more reserved and unassuming competitor.

This distinction between the patriot by *profession* and the patriot by *action* could not be better illustrated than in the contrast between the struggle for a general ticket, upon which in my late numbers I have animadverted, and the effort of the same party in opposition to Mr. Ely's motion. We have seen on the former occasion great professions of regard for the *people*. We have seen a

[1] *The Repertory*, November 6, 1804. The subject of this paper is more fully treated in the remarks delivered, or intended to be delivered, in the Senate when the instructions of the State of Massachusetts were laid before that body. See p. 87, *infra*.

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minority in the legislature undertaking to say that the people preferred election by districts, because they preferred it themselves, and formally assigning this preference of the people, as one of the conclusive reasons for their's, when the people had never manifested, and probably never entertained such a sentiment. This was patriotism by profession. The protesters take for granted that the people like their project best, and then make a merit of advocating it for that reason. When Mr. Ely brought forward his motion, the object of which was to render the people a real service, a great and important service, then these flaming *wordy* patriots lost all their zeal, and instead of supporting it with that genuine devotion to the interests of the people, which they had so recently trumpeted abroad, either slunk from the discharge of their duty, and their vote as legislators, or attempted to check by insidious amendment, or by open opposition, a measure of the deepest moment to the welfare of the people. The reasons upon which are grounded the instruction for which Mr. Ely moved are so clear, so strong, and so indisputable, that no direct answer to them has been attempted either in the legislature, or in the newspaper speculations which have appeared on the subject. The rule of representation prescribed by the Constitution of the United States is universally admitted to be *unequal*, and when combined with the practice under the Constitution is oppressive on all the States holding few or no slaves. At present the people of the United States consist of two classes. A privileged order of slave-holding Lords, and a race of men degraded to a lower station, merely because they are not slave-holders. Every planter south of the Potomac has one vote for himself, and three votes in effect for every five slaves he keeps in bondage; while a New England farmer, who contributes tenfold as much to the support of the government, has only a single vote. Our share of representation is only proportionate to numbers; their share is in the same proportion of numbers, and their property is represented besides. At the time when the Constitution was formed, this provision was submitted to on the ground that the burden of taxation should be apportioned

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to the benefit of representation. The experience of fifteen years, however, has proved the error of these calculations. The experience of fifteen years has proved that four-fifths of the burdens of this government must be supported by the States which have no representation for slaves. The benefit pledged to us as compensation for inadequate taxation is not secured to us. We are doubly taxed, and they are doubly represented.

The necessary consequence of this has been the loss of all our weight and influence in the Councils of the Union. It is a fact well ascertained that this excess of southern representation decided the fate of the last election for President and Vice President of the United States; the same event must inevitably follow every contest in which the interests of the North and those of the South shall be at variance. While the present system of representation continues, an even balance in the national councils must not be expected. The slave representation, like the sword of Brennus, will forever be thrown into the Southern scale, and must forever make our's kick the beam.

In a moral and political view, this representation of slaves is alike objectionable. The number of those miserable beings already existing in some States is such as to occasion the most serious alarm in all humane and thinking minds. Mr. Jefferson has said that the populace of large cities no more add strength to the body politic, than sores to the body natural. If this comparison be just the slaves of our southern neighbors are abscesses of the deepest and most dangerous matter to our national body. Instead of strength they are distemper, deadly distemper, which if it cannot be eradicated, ought at least not to be fostered and stimulated. By allowing representation for slaves, we encourage and reward the infamous traffic of human flesh; and accordingly we find that although at one period this traffic was prohibited in all our States, yet the temptation to allow it has already overpowered every other consideration in South Carolina, and she has opened all her ports to that disgraceful trade.

It will not be necessary at this day to prove that in the eye of

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morality this purchase and sale of man is criminal. The laws of the United States have long since declared it so, and as such it is prohibited to every citizen of the United States on the severest penalties. Thus the Constitution instigates and urges the Southern States to that which the laws punish as a crime. It makes the highest privilege of freemen the purchase of accumulated slavery. It says to the Northern and navigating States, you shall not trade in slaves. If you do, your ships and their cargoes shall be confiscated, your estates shall be ruined by fines, and your persons shall be buried in dungeons; and at the same breath it says to the Southern States, deal in slaves, multiply the fetters of your bondage, and for every five victims of avarice and cruelty, you import within your territories, you shall have an increase of three votes towards composing the legislative and executive authorities of the nation. For in the very same act it offers a bounty to one citizen, while it brandishes the scourge over another. Can anything be more inhuman? Can anything be more absurd?

Thus in whatever point of view we contemplate this provision in the Constitution, whether as moralists, as politicians, or as citizens, it calls aloud for amendment. Yet in the legislature of Massachusetts itself were found men who made the most formal and pointed opposition against a fair and constitutional attempt to obtain this amendment. And what were the arguments they alleged? They were worthy of the cause in which they were advanced.

They said, that it might perhaps give offense to Virginia and the slave-holding States, and thus endanger the existence of the Union.

But surely propositions of amendment to the Constitution can give no offense to those States whose most influential characters have been and still are clamorous for amendments much more calculated to strike at the existence of the Union; who are continually telling us that the Constitution not only permits, but invites proposals of amendment; who have just accomplished one which they deemed essential to the increase of their own power;

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and who have announced their determination to accomplish others, still more contrariant to the principles upon which that compact was originally settled.

This fear of giving offense by the exercise of an indisputable right, under the sanction of every inducement which justice, humanity, and liberty can inspire, is a motive which ought not to be urged upon freemen. It is an appeal to weakness, a plea to cowardice, an argument fit only for slaves to utter and to hear. It discovers a mind prepared for every degree of submission. It is language of a negro driver on a plantation, to the wretches who tremble under his lash; but it can find no accessible corner in the heart of a New England farmer.

The pretense of danger to the Union cannot be credited by those who raise it. The amendment, when proposed in Congress, will be adopted or rejected. If adopted, it will have a greater tendency to cement and perpetuate the Union than anything that has occurred since the adoption of the Constitution itself. If rejected, its friends will undoubtedly submit to the constitutional decision, and wait until the progress of reason shall produce a state of things more favorable to the purposes of justice. Of the seventeen States there are only five whose representation is increased by the slaves they hold. Twelve States, therefore, have a permanent and decisive interest, which must unite them eventually in wiping away this national scandal.[1] Of the five whose number of members would be reduced by the amendment, Georgia would lose but one member, and North Carolina only two. The *relative* weight of these two States would, therefore, rather be raised than depressed by the exchange, and their interest will concur with that of the twelve. Even in Virginia, the inhabitants beyond the mountains, who constitute a majority of the freemen in that Commonwealth, would gain rather than lose in their proportion of the representation; so that when once the voice of solid and undeniable *interest*, concurring with those of honor and Republican principle, shall

[1] In his remarks in the Senate he altered the numbers to seven slave and ten non-slave-holding States.

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cease to be stifled by the deafening din of party spirit, there can be no doubt but that the amendment will prevail. This consideration will naturally lead the friends of the measure to pursue it at once with temper and perseverance. Persuaded that the Union is the first of political blessings to every part of these States, they will never be inclined to hazard it for any subordinate consideration; at the same time, assured that the more firmly its foundations are fixed on the foundations of freedom and equal rights, the more solid and durable will be the fabric, they will not relax their mild but determined exertions until the honorable object for which they contend shall be attained.

But it was asserted that when the Constitution was debated in the State convention this very article was warmly advocated by the most distinguished characters in that body, who advocated its adoption.

It must be remembered that the Constitution was then an untried experiment; every one of the important States in the Union was divided almost equally on the propriety of adopting it at all. In the Massachusetts convention the vote of adoption was carried only by a majority of eighteen in three hundred and seventy members. Those who on the main question were for the rejection of the instrument, of course, raised every possible objection of detail which their ingenuity could devise; and they who conceived it of the utmost importance upon the whole that it should be adopted were often called upon to justify or palliate sections which separately considered might have been highly objectionable to themselves. How the government would operate in practice was necessarily conjectural; and they whose hopes were chiefly founded upon the result of the *whole* system, naturally became sanguine in their expectation of advantages from particular parts.

The ground upon which this paragraph was supported by the federalists in the Massachusetts convention was that it sanctioned the principle of making representation and taxation go hand in hand. The objections against it were that the negroes would not be taxed enough for this proportion, and it was compared with the

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mode established in the old confederation of raising quotas in proportion to the lands surveyed and improvements. The inequality of representation resulting from this article was not foreseen; no objection of that nature was raised. It has risen from the non-execution of that part of it which favors us — *the taxation*, while the part which favors our Southern States, *the representation*, is carried into full effect. Both parties took it for granted that as we should be represented, so should we be taxed. The practice of the Constitution has proved otherwise. In the course of fifteen years the direct tax has been resorted to only once, and then was paid ineffectually, or not at all, by the slave-holding States. The treasury has not received a dollar of this tax from South Carolina or Georgia, and several others of those States are great defaulters in that payment.

This amendment then, thus reasonable in itself, thus urged by every moral and political consideration, and thus required by the unequivocal *interest* of a proportion of those States abundantly sufficient to carry it through, can be resisted effectually only by the operation of a single cause; the undue influence of the national executive. The President of the United States belongs to that part of the State of Virginia which, by the effect of the iniquitous mode of representation now established, sends at least two representatives to Congress, where upon principles of equal rights, they ought to send but one. His personal and local interests are, of course, in opposition to the proposed amendment, and there is no doubt but all his influence will be exerted against it. If we judge of the party which now governs this Union by their acts, it will appear that their whole political system centres in personal attachment to him and his views, while on the other part his system consists in substituting them instead of the nation. The destruction of the judiciary independence; the persevering system of turning out honest men from office to introduce partisans in their place; and the amendment to the Constitution, carried through with such extreme precipitation, and at such heavy expense to the people of this country, for the sole purpose of securing his re-election, are all

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explained by this solution, and can be explained by no other. It is this consideration which makes it of the utmost importance to the people of Massachusetts to mark the conduct of that faction here. Let us not deceive ourselves with fallacious hopes. So long as a formidable party *among ourselves* shall oppose our restoration to equal rights, we shall certainly never obtain it. They who derive the benefit from exclusive privileges will not readily relinquish them; and while the cause of freedom is paralyzed by defection in its own ranks, it can meet with nothing but defeat.

An anxious concern for the liberties and interests of my fellow citizens has been the sole inducement to these remarks, which I shall now bring to a conclusion. On three important occasions in the legislature of the State, we have seen the leaders of a party running counter to the manifest and momentous interest of the State. It was conceived an injunction of public duty to show: First, that the arguments and pretended facts alleged for this strange dereliction of principle were not founded in truth; and secondly, that those party leaders were under the influence of certain partial and personal inducements, different from, and in opposition to, the interests of their constituents. The singularity of their conduct necessarily led to an investigation of its motives, and the discovery of the motives furnishes a clear elucidation of the conduct. It is with the most cordial satisfaction I have observed, that on every one of those occasions, many individuals of the party in the House of Representatives refused to go the lengths to which the leaders would have impelled them. The motion of a panegyric on Mr. Jefferson was hence withdrawn. The insult upon the majority of the legislature was disavowed by many of those who in an unguarded hour had signed it; and on the final question upon Mr. Ely's motion, the small number of those who dared to vote against it was a proof that all were not equally prepared to abandon their country, to please their patron. I am sorry to have seen no such signs of compunction in the minority of the Senate. To those who thus staggered at the sacrifice of duty required of them, and started back from the threshold of guilt to

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which they had been drawn, the present recess of the legislature gives a favorable opportunity for the reflection. Let us fervently hope that they will see the precipice into which interested and artful men have been struggling to push them, and by their future conduct will prove that they are determined to pursue the path of their duty, and cling to the true interest of their country.

TO JOHN ADAMS

WASHINGTON, 3 November, 1804.

DEAR SIR:

. . . . . .

Since my arrival here I have called upon the President, who had some conversation with me respecting the conduct of the British frigates on our coast during the course of the last summer, and respecting the trade of arms and ammunition principally carried on from New York to St. Domingo. He said nothing relative to the controversies with Spain as to the murmurs of Louisiana.[1]

As to the British frigates there is no official information of that disapprobation by the British government upon the conduct of their officers, which has been announced in the newspapers. Nor does it appear that the captains of the *Cambrian* and *Leander*, or either of them, have been recalled.[2] But they have not given any recent cause of complaint, and by the letters from Mr. Monroe the ministry give him perfect satisfaction upon every representation made by him on the subject. The conduct of their ships and officers in the European seas is also generally such as is satisfactory

[1] See Jefferson's Message to Congress, November 8, 1804, and bill sent to Randolph, in *Writings of Jefferson* (Ford), VIII. 323, 333. Also *American State Papers*, Foreign Relations, II. 606.

[2] *Writings of James Madison* (Hunt), VII. 156.

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to him. The disposition of the present Ministry is also very amicable.

The trade from New York to St. Domingo is a subject of grievous complaint to the French Minister,[1] who peremptorily demands that our government should interfere to suppress it. The blacks give such excessive prices for arms and ammunition, that general merchants in New York have fitted out, and are still fitting out, vessels to send them these articles; in some instances they have armed the ships in force sufficient to force their way through in case of attack by the French privateers. Mr. Jefferson thinks that on the return of any of these armed vessels, if they should have fought with a French privateer and killed one of her men, *our* judges ought to hang every man on board the American vessel for murder. He draws his inference from the common law principle, that homicide committed in support of an unlawful act is murder. But common law rules should not be applied to the objects which essentially belong to the laws of nations. I questioned the accuracy of his argument, but asked him why the government had not interposed to *prevent* the arming of these vessels at New York. He said the law would not bear them out in such interference, though he admitted it had been done at an early period of the late war. This he first said was by virtue of a temporary law; but afterwards recollecting himself said it had been done without a law, and submitted to. But that had it been contested, the authority of the government would not have been supported for the measure. Hence I conclude we shall have a law for such an authority at the approaching session.

I have seen General Wilkinson, who has taken a house here to reside during the session. I imagine he waits for an answer from you to his letter. His *power* to prescribe round

[1] Louis-Marie Turreau de Linières (1756–1816).

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heads to his officers is denied at the War office, and, therefore, the court-martial on Major Butler hangs heavily upon him. Colonel Burrows is also here, and I hear has fully and honorably settled his accounts. But his health is very low.

I am, etc.

TO JOHN ADAMS

[November, 1804.]

My Dear Sir:

I have been happy to receive your obliging favor of the 14th instant, and much obliged to you for your opinions respecting the points of maritime law, which require our attention at this time. A coincidence of your opinion with that of the President of the United States would be more than enough to stagger me in any point upon which I should have formed a different one. It makes me, therefore, peculiarly mistrust that which I entertain on this subject. The President's position was that *our judges* ought to hang American citizens who should have committed homicide in resisting the execution of French revenue laws in the West Indies. And he gave to support his reasoning the *common law* principle, that homicide committed in support of an *unlawful* act is murder. In this opinion you say he was right. I can only reply what I replied to him: That I had always considered it as a settled maxim that *no nation takes notice of the revenue or colonial laws of another nation;* and therefore that our judges could not hang Americans in the case he put, for homicide in support of acts which to *our judges* were not unlawful. I have, however, even believed that in these cases of contraband, unless the *French* judges should violate the *universal usage* of nations, *they themselves* could not hang our people for homicide in such a case — either as *murder* or as *piracy*. It is an act *sui generis* —

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forcing a contraband trade by foreign subjects. And persons taken even after fighting and killing to force their way in such cases are punishable neither for *murder* nor *piracy*, but for supporting contraband by violence. I know very well that such transactions have sometimes produced wars between nations; but I never yet heard of an instance in which the common law maxim, that homicide in support of trespass was murder, has ever been adopted into the laws of nations as relating to forcible contraband trade by foreign subjects. There appears to me to be very cogent reasons why the principle *ought not* to apply; and as far as my recollection serves it is in practice never made to apply. It may perhaps resemble that stipulation in almost all the commercial treaties, that if a subject of either party shall take a commission against the other from a third power, and be taken, *he shall be punished as a pirate.* Now pirates, as you justly observe, are punished with *death;* and yet I have always understood that by the universal usage of nations, that offence by positive stipulation made punishable like piracy, is not punishable with death. I have consulted the British statutes which you mention respecting the trial and punishment of piracy, but they do not seem to me at all to settle the question. For in all instances where they speak specifically, they mention hostilities by *British subjects* against *other British subjects;* seeming in some sort thereby to make the distinction between them and foreigners for which I contend. Besides none of these statutes seem to contemplate cases of forcible contraband; nor do I find anything in the books holding this up as piracy. I shall be very glad to read over again Judge Marshall's speech in the House of Representatives on the case of the pirate and murderer Nash.[1] I recollect it perfectly well, having read it

[1] *Annals of Congress*, 6th Cong., 596.

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with much pleasure as published at the time when it was delivered. But this case stands again on different grounds. I have no doubt as to the nature of Nash's offence.

It is indeed very apparent that popularity bears a strong resemblance to the itch by its contagion, and the President, who has himself enough of the itch of popularity, may congratulate himself upon its wide spread in Massachusetts. I consider the revolution there as completed, and that in the spring both our executive and legislature will pass into other hands and other principles. What the new principles will be, may be inferred from the character of the future chief magistrate, and the experience we have had of the consequences attending similar changes in the other states. Their tendency will be to corrupt public opinions and to introduce much injustice and oppression. But the national prosperity appears to be very little affected by all these party overthrows. It is in the season of the harvest that the pernicious effects of the weeds sowed in spring are felt.

We have hitherto done here nothing or next to nothing. But such idleness is better than the activity which will probably succeed. There are three deputies from New Orleans arrived,[1] but they have not yet presented their remonstrance. I have read a French pamphlet published in that country, containing a detail of their grievances, and our sovereigns here begin to think that forcing laws upon a people, in a language of which they are ignorant, and sending them officers who can neither understand them nor be understood by them, is a little incongruous for the most enlightened people upon earth. My expectation is that the system to be adopted will pass from one extreme to the other, and that the next step will be to admit them by *act of Congress* into the Union as a State, and empower them to make their own

[1] Pierre Sauvé, Pierre Derbigny and Jean Noël Destréhan.

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Constitution. There is a probability favorable to any plans other than that which appears the right one, to your faithful and affectionate.

TO JOHN ADAMS

WASHINGTON, 11 December, 1804.

MY DEAR SIR:

I received together last evening your two favors of 30th ultimo and 2nd instant, for which I most sincerely return you my thanks. In the dreary path which I am now compelled to tread, it is cheering to the spirits and gives the most pleasing consolation to have occasionally the benefit of your correspondence. What the issue of the election in Massachusetts will be on the harmony of the ruling party, I do not venture to conjecture; but that it has already sunk the influence of New England, low as it was before, I have sufficient evidence to be satisfactory to my own mind. The choice of Parson Bentley [1] as chaplain to the House of Representatives at the commencement of this session will show you what is held out to the New England members as proofs of their weight in the councils of the Union, and what they are willing to accept as such. I think this favor must content them for the present session. The claimants of the Georgia lands must go home again *reinfecta*, for there appears to me from all the symptoms yet discovered much less chance for them this session, than there was last winter. But I presume Mr. Morton [2] gets well compensated by his fellow-claimants for his yearly visits to the seat of government, and if he is not successful in the pursuit of their interests, he may perhaps

[1] William Bentley, of Salem. See *Diary of William Bentley*, III. 125.

[2] Perez Morton, one of the agents for claimants of lands lying south of Tennessee and west of Georgia.

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eventually obtain some consolation and indemnity for the injury to his own. He has not yet been appointed to the office that I have heard of, but this morning the Senate have consented to and advised the appointment of Benjamin Austin, junior, to the office of Commissioner of Loans for the State of Massachusetts. This subject of appointments in Senate has undergone a great revolution since you presided here. In all possible cases provisional appointments are made during the recess, so that when the Senate meet, the candidates proposed to their consideration are already in possession of the offices to which they are to be appointed. The forms of deliberation are however tenaciously adhered to, and with some degree of affectation. Nomination lists are postponed from time to time, without any other reason for postponement, and when acted upon the candidates regularly receive from the Senators of their state a panegyric usually very highly charged. To this course of proceeding I have never known any exception, but in two or three instances from federal members, on the ground of objections against the moral characters of the candidates. And the only effect of such objections has been to take the vote by yeas and nays, when in every such instance all the members excepting the federalists have voted *for* the persons excepted against. I have uniformly borne testimony *in favor* of the candidates of Massachusetts, when I knew them, and could honestly do it independent of all considerations of politics. And especially in the instances of Henry Warren and of Mr. Bowdoin.[1] In all other cases I have been silent when I could; for experience had shown me that to object infamy of character against a man would be a sure means of securing about three votes in four upon record in his favor. This silence has been from the same motive become so habitual

[1] James Bowdoin (1752–1811), minister to Spain.

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with all the minority, that the ruling party seem to be a little uneasy under it. This morning on going into the nomination list, the first appearance was that it would go through without any comment, excepting the little prettiness of *postponing* some half dozen names for *further information* — to be eulogized the next time they are taken up. But after getting on some way Mr. Franklin,[1] a very scrupulous gentleman, rose and said these were very important appointments, and he did not like to act upon them without some testimony from members who could bear it, and particularly from the members of the states to which the candidates belonged. Bye and bye came the name of Benjamin Austin, junior. Profound silence for some minutes. At last I rose and said that "I knew Mr. Austin, but could say nothing of him." Upon which Mr. Ellery,[2] of Rhode Island, rose and said, Mr. Austin was a man of *very great abilities* and a *most respectable character*. He sat down and Benjamin Austin, junior, was appointed *nemine contradicente*, just as he would have [been], if Mr. Franklin had been less anxious for testimony from the Senators of the states where the candidates belonged.

In making and reiterating the request that you would commit to writing memoirs of your own life, I did not expect that it would consist of recollections altogether pleasing. I am well aware that the pictures both of men and events, which your unalterable regard to truth would often render necessary, must be marked with very dark shades. But such must be the fate of every man who distinguishes himself in any eminent manner among his fellow men; and I was and remain decided in the opinion, that a work of this kind from you would be extremely useful both to your family and your

[1] Jesse Franklin (1760–1823) of Virginia.

[2] Christopher Ellery (1768–1840).

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country. I am persuaded from the vigor and accuracy of your judgment, neither vanity nor disappointment would suffer you to misrepresent or mistake any material part of the narrative, and that you would always have a due control over all the natural instigations of self-complacency and importance, which must continually occur to a man writing of himself. As to the exhibition in their nakedness of other eminent men, it is one of the principal reasons for which I wished you to write; I am sure you will treat them all with perfect candor; that you will do them honorable and impartial justice. But I am also sure that you will make them known to us in their real colors, stripped of all their disguises in which their own arts or the hopes or fears of others have arrayed them. I intreat you to reconsider this subject, and hope you will comply with my request. The plan of the work may be suited to your own convenience, and compressed into a small or dilated to a voluminous extent as you please.

The bill for the preservation of peace in the ports and harbors has met with much investigation in the House of Representatives, and has not yet come to us — twice recommitted to the reporting committee, and yet laboring. There is also another bill for establishing an Admiralty Court in the Mediterranean which it appears to me calls for much consideration. This, and the other bills in embryo, which I have regularly forwarded for my brother, will show that the other House have got seriously engaged in business, which is yet very languishing with us.

Another appointment this morning — William Lyman of Massachusetts, Consul at LONDON. He was appointed about a fortnight ago Surveyor and Inspector at New Orleans; but it seems the climate of England suits him better than that of Louisiana. General Smith this morning declared that

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unless some member of the Senate would testify to Mr. Lyman's competency for this office, *he* should vote against him, for it was an important office and ought to be well filled. Upon which Mr. Lyman's panegyric was pronounced by Messrs. Giles, Mitchill and Bradley, perfectly to General Smith's satisfaction. Smith had served several years in the House with Lyman, and it seems in all that time did not discover his merits. Mr. Giles had been more penetrating; for he alleged that very circumstance as the only basis of his knowledge; and now though Smith was so far from being satisfied with his own observations at that time, that he was determined to vote against this able man, unless *somebody* would give him a certificate of character, he readily takes upon trust Mr. Giles' certificate founded on the same principles from which Smith himself had drawn so different a conclusion. So you see nobody can be appointed without a puff, just fit for a newspaper obituary.

The French Minister, General Turreau, has called upon me. His family has not yet arrived. The President complains that he glitters too much with gold lace, and hopes in time to get him down to a plain frock coat. The Legion of Honor has a bauble at the buttonhole so closely resembling the old *Croix de St. Louis*, that it requires an opera glass to discover the difference between them. The President told me that the best thing which could now happen to the French nation would be to *recall the old family !!!* and take up the Constitution of 1791. For that although that constitution made the government *too weak !!* and was *defective* in having a legislature in one branch! yet even that would be better than the present unlimited domination. I hope he does not talk so to any body who will carry his words to the Emperor Napoleon.

Ever affectionately yours.

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PROPOSED AMENDMENT TO THE CONSTITUTION ON REPRESENTATION [1]

[December, 1804.]

The proposition submitted by my colleague to the consideration of the Senate, conformably to the instructions of our immediate constituents, the Legislature of Massachusetts, is, I am sensible, of such a nature that it cannot be expected to be received by this body with unanimous approbation. It would doubtless be a more agreeable task, both to him and to me, were it in the compass of our power to introduce and advocate any measure of important benefit to all the people of the United States, and in support of which we might reasonably calculate upon every vote in this and the other House of Congress. But if this unanimity would be an idle expectation upon almost any question which can be brought before us; if it were a more than idle expectation upon almost any question of the magnitude and importance of this; preëminently vain and absurd would be the hope of such unanimity, on a question against which we have to contend with the local interests, and exclusive privileges of a powerful and respectable portion of the Union.

But it is in the unalterable nature of things that *every* public measure of great importance should, in some degree, differently affect the partial interests and feelings of the different parts of the nation. Our association consists of constituent parts, whose *superficial* interests are not only variant but often opposite to each other. The seamen of your seaports would naturally say the monies raised upon the hard earnings of our industry ought to be exclusively appropriated to our benefit. But perhaps in another quarter might be found very respectable citizens who would think a seaman's fund collected at Baltimore or Philadelphia a very proper

[1] From a MS. in the Adams Mss. The amendment was that described as Ely's motion in the newspaper article, page 69, *supra*. These remarks were to be delivered in the Senate, but it is doubtful if an opportunity offered, as they are not mentioned in the *Annals of Congress* for this session. See Adams, *Memoirs*, December 3, 4, 7, 1804; Ames, *Proposed Amendments to the Constitution*, 45.

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object of application for the support of the common town paupers elsewhere. Is the revenue from the post office to be appropriated to the improvement of the roads? The merchant who pays the postage would deem it reasonable that it should go to ameliorate the roads and accelerate the communication of that correspondence which furnishes the money. But a holder of wild-lands, wishing a road through the desert made at any cost but his own, will come and with the acuteness of a metaphysician will show, that postage is not a tax but a compensation for a service rendered; that *government* has a right to insist upon rendering this service and upon being paid its own price for it; and if it can thus raise money from one citizen, it has a right equally clear and indisputable to bestow it upon another. The merchant perhaps may not feel the force of this reasoning, but what can he do? What can he do? What he does. Pay his postage, and hear of roads opened through the wilderness.

But we have all a deep a permanent and a paramount interest in *Union*. It is to reconcile these conflicting interests, to harmonize these jarring elements that our common Constitution was established, and for this our government should be administered. The Constitution itself was, as all acknowledge, the result of compromise and mutual concession. The alterations in it which may be rendered necessary from time to time, and the administration of the laws under it, ought then to be distinguished by the same spirit. If, therefore, any part of the Constitution is found by experience to bear with peculiar hardship upon one part of the nation; or to be impracticable in its execution, or unjust and immoral in its necessary consequences; or by the lapse of time and by events that have happened subsequent to its formation rendered improper and oppressive, they who suffer under its operation are fully authorized by the Constitution itself to ask for an alteration, and may reasonably hope from the justice of their sister states that their complaints will be heard and their wrongs redressed, though some other partial local or momentary interest should stand arrayed against their claims.

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It is on these solid grounds that the legislature of Massachusetts solicit a revisal and amendment of that part of the Constitution which prescribes the proportion of representation in the other house of Congress, allowed to the respective states. It is the belief of that legislature that the ratio of representation as at present established is:

1. Burdensome in its operation on far the greatest part of the Union;

2. Unjust, immoral and impolitic in its necessary consequences;

3. That events subsequent to the adoption of the Constitution have made and are daily making it more and more objectionable;

4. And that it has been found by experience impracticable in its execution.

1. In examining the *principle* upon which this ratio of representation is founded, we shall find it contains within itself an essential source of discord and not of harmony; it professedly makes *numbers* the measure of representation. But numbers of what? Of free inhabitants? This would undoubtedly be upon the principles of pure republicanism, the only answer to the question, and would to God this were the answer we could make. No, sir. The answer must be double — for one portion of the Union, *numbers* of free inhabitants; and for another portion of the Union, numbers of slaves, cut up into fractions and mingled with the *numbers* of their masters. Here then to form the immediate representatives of the people, the people themselves are divided into two classes, and those who hold slaves are invested with exclusive privileges, denied to those who are only independent freemen. Such is the real meaning of the paragraph of which we propose the repeal, though expressed in circumlocutions, as if the Constitution was ashamed or afraid to speak in plain terms its own meaning. At the present moment the delegation from ten of those states in the House of Representatives is composed of members chosen by the numbers of free inhabitants. The representations to which the numbers of slaves contribute are sent from only seven states. Those seven

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states then possess the advantage of a double representation, to the manifest detriment and injury of the other ten.

Such a mode of representation is therefore unjust, inasmuch as it is unequal. It is unjust, because it establishes inequality of rights, and of the rights the most precious in the sight of freemen between fellow citizens of the same community. It is also an inequality in the highest degree immoral and impolitic. Its immorality is derived from its conferring the first of political privileges upon the basis of the greatest outrage on the rights of mankind. The immorality of slavery itself has been so clearly proved by the investigation of numerous writers in modern ages, that even those who exercise that dominion over their fellow men have themselves generally admitted that it is an offence against the laws of nature and of God. And yet our present mode of representation, by making the numbers of slaves a component part of the right to vote, holds out a strong and, as we plainly see, an irresistible temptation to those states which allow slavery, to increase and multiply as much as possible the number of these unhappy beings. To set this argument in a clearer light, let us only for a moment consider the inconsistency between this part of your Constitution and the laws of the country. The Constitution, as has already been remarked, holds out a *reward* to the slave-holding states for every additional slave they import. It promises them for every five thousand negroes introduced from Africa, three thousand and more votes added to them for electing a member of Congress, and a President and Vice President of the United States. It is giving them a bounty, a high and most alluring bounty, upon the importation of slaves, and so careful is the Constitution to secure the right of claiming this bounty, that it has expressly denied to Congress the power of prohibiting such importations prior to the year 1808. Such is the language of the Constitution. But what is the language of the laws?

By an act of Congress passed on the 22nd of March, 1794, every citizen of the United States, or person residing within the same, is prohibited from fitting out, building, owning, equipping, loading

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or otherwise preparing any ship or vessel *within* the United States, for the purpose of carrying on any trade or traffic in slaves to any foreign country, on penalty of the forfeiture of the ship and a forfeiture of two thousand dollars. And if any citizen of the United States receives slaves on board a vessel for the purpose of such traffic, he forfeits $200 for every person so received.

By another act passed 10 May, 1800, every citizen of the United States is forbidden, directly or indirectly, to hold any rights or property in any vessel employed in such traffic, on penalty of the forfeiture of all such property, and of double the value of it besides, and double the value of his interest in the slaves. Every citizen for merely *serving* on board a vessel employed in such traffic is made liable to $2,000 fine and two years' imprisonment.

Now, sir, upon what principle is it, that all this burden of penalties, forfeitures, fines and imprisonment, is inflicted upon our citizens, for merely having an interest in this trade, or contributing to it by personal service? Abstracted from its inherent and indelible immorality which, God forbid, I should ever attempt to justify; but abstracted from that, it is a traffic of the most lucrative nature, a traffic which might advantageously employ the industry and enterprise of great numbers of our citizens, a branch of trade in which the balance would be all of clear profit to our country, a traffic which at all events will be carried on by other trading nations, and on which all our pains and penalties can have no other effect than to secure to those other nations all the advantages from which we exclude our own citizens? Upon what principle, I say, can all this tempest of indignation against a most profitable commerce be founded, in a nation so essentially commercial as ours, but upon the consideration that the trade itself is, and ever must be, a heinous crime in the sight of God, and therefore ought to be so in the sight of man? Let us suppose, sir, that an impartial and philosophical foreigner, with the example and the profound penetration of a Montesquieu, should take up our statute book with a view to discover in it the spirit of our laws. Suppose him first to examine the Constitution, and see with what jealous and inflexible

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care the right of trafficking in slaves is reserved to one part of the Union, and guarded even against the general authority of the nation. Then imagine him to remark the high reward offered for the increase of this trade, to observe that the slave traders had stipulated for an increase of their dearest political privileges in exact proportion to the energy and vigor with which they should drive this trade. I ask not what his own moral feelings would inspire into his mind, but as to the character of the people who inserted such articles into their social compact, would he not draw from it as an irresistible inference that the slave trade was an object of darling affection to that people? Then let him cast his eyes over the two statutes, the substance of which I have just now stated. Let him reflect upon the enterprising commercial genius of the nation, upon the peculiar allurements of the commerce itself, and how will he account for the pointed detestation and abhorrence with which it is prescribed? Could such a man enter this hall, would he not call upon us for an explanation of this strange inconsistency between our Constitution and our laws; between the charter under which we act, and our acts under the charter? Should we attempt to justify the provision of the Constitution, would not his finger pointed to the laws reduce us to silence? Should we presume to account for the laws from the criminality of that which they forbid, would he not by a glance at the Constitution put us all to the blush? Would he not say, if the slave trade is criminal, why have you placed it under such extraordinary protection? If innocent, why have you put it under such a bitter anathema? The spirit of the laws should be consistent in right or in wrong. But you have taken the greatest pains to pronounce your own condemnation, and have made your own laws the severest stigma upon your own Constitution. But if a speculative observer must be struck with wonder at this glaring inconsistency in our national code, would he not be as much surprised at the inequality of condition under which these contradictory regulations place the different sections of the Union? He would perceive that the slave trade, with all its evils and all its guilt, is possessed of the two advantages which

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peculiarly recommend it to certain passions of the human heart. To the southern planter it furnishes hands for the cultivation of his soil. And to the eastern merchant and seaman it furnishes employment for shipping and commercial capital. To both it is a source of wealth but under different circumstances. The planter derives no benefit from the trade until the slaves are landed upon our shores. The merchant's profits are limited to their purchase in Africa and their transportation over the seas. The benefit to one interest ceases where the other begins. In restraining the trade of slaves to foreign countries the slave owners in this country make no sacrifice; on the contrary their pecuniary interest may be promoted by its interdiction. For if it were fostered by a premium, they are not a seafaring people and could not share in the profits. And by obstructing the sale of slaves to other countries they may perhaps obtain a more abundant and cheaper supply for themselves. This is the only point of view in which the seeming inconsistencies between the laws and the Constitution can be removed. Both tend to favor the interests of the slave owners among ourselves. Both tend to depress the interests of the rest. The language of the Constitution and laws where combined appears to be no other than this. We, the slave owners, will suffer nothing to impede our purchase of slaves to the full extent of our purses and our credit. And in order to have the market exclusively to ourselves we will seize, confiscate, fine and imprison without mercy, for every attempt to carry or sell slaves elsewhere. But surely, sir, if this be the *spirit* of our laws, it must be confessed a spirit of injustice and inequality in the extreme.

Nor is the impolicy of this pointed and invidious encouragement to the multiplication of slaves within the United States less apparent than its injustice. For the possession of those we have already, perhaps in the eyes of justice and humanity we might offer some palliation. I remember that at the last session of Congress a very respectable member of the house told us, that for a long time before our Revolution the legislature of Virginia had made unavailing efforts to prohibit the importation of slaves into that colony,

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but that [by] the influence of the dealers in the trade, the Liverpool merchants, the royal sanction, had always been denied to every such law. As far then as the evil had been imposed upon us, we may derive excuse if not justification from that necessity. But surely we have enough and too many of that description of persons in our country already. Surely we ought not to give encouragement to a species of population which must ever prove to the nation a burden and not an aid. In the event of a foreign invasion we cannot expect to see them assume any other character than as auxiliaries of a foreign foe. In their present condition they are a secret but deadly enemy in the heart of our own country. They wait but for the moment when they can have the power of hostility in their hands. They have all been taught, and incredible as it would appear, their masters have been the most assiduous in teaching them that slavery is a state of perpetual and inextinguishable war. That the right of man to liberty is *unalienable*. That whenever they have it in their power, it is their right and their duty to cancel the bonds of their subjection, and break the chains upon the heads of their oppressors. That heaven and earth would concur to sanction their insurrection, and that in such a contest the Almighty has no attribute that could side with us in the cause. Can it be imagined that these doctrines have been so long and so zealously inculcated, without winning their way to the hearts of men so powerfully stimulated by every passion to believe them? And is it not blindness of the most fatal kind to spur by constitutional temptation this continual augmentation of their numbers?

Do I hear it asserted in answer to all this that the Constitution has settled these questions? That, as it was an instrument of compromise, the representation for slaves was a concession to the Southern states. That they held it indispensable for preserving the balance of power, and that they cannot be expected to surrender an advantage which was fairly obtained? To this I reply that the course of events since the formation of the Constitution has given a peculiar propriety to the change which the legislature of Massachusetts have instructed us to ask. If a double representation was

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necessary to the Southern states to preserve the balance of power seventeen years ago, it has already become unnecessary by the relative superiority of increase in their population since that time. And every argument arising from the necessity of a balance which then could tend to require an additional share of representation for those states, must apply with equal force now to induce them to place themselves on a footing of equality with their sisters. The rapidity of their growth so far exceeds that of the eastern states, when combined with the accessions they derive from the western part of the Union, that independent of their negroes they have now acquired the ascendancy in the proportion of numbers, and that ascendancy will become from year to year more decisive. This was apparently foreseen at the time when the Constitution was adopted, and the very regulations of the Constitution guarding against restraints on the importation of slaves, and against direct taxes on other proportions than those of the census, are evidently founded on such anticipations. The very stipulation against changes in these points prior to a given period evince an opinion, that when the time should have elasped those changes might and probably would become advisable, as well as the opinion of the states most interested in the subject that they might, after such lapse of time, be made with perfect safety to them.

Another consideration upon which the states which have no slaves or no representation for slaves may reasonably require to stand on equal ground with the other is the character which our national administration has given to this Confederation under the present government. To support the burdens of the government and for the discharge of the national debt, it was obviously contemplated at the formation of the Constitution that some other mode of taxation besides duties of impost and on navigation would necessarily be resorted to. It has, however, gradually become exclusively the policy of the government to lay the whole load of taxation upon that single resource. The direct tax, which has but once been attempted,[1] was found so obnoxious to those very states

[1] A direct tax of $2,000,000, imposed under the law of July 14, 1798.

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which on the basis of payment under this tax alone for their negroes have a double share of representation, that in two of them it has been found impossible to raise their assessment of it. And the internal taxes, which contributed heretofore in some degree to the revenues of the country, have been so dissatisfactory to our present administration, that they have been all repealed, to heap on the load of impost, too heavily aggravated before, an additional sum fully equal to their proceeds. Thus, sir, the whole revenues of the United States, as far as they are a burden upon the people, are now collected from the commercial states alone. The ten states which have no representation for slaves in the councils of the Union, in the year 1802, the latest of which we have the documents, contributed three-fourths of the net revenue collected by impost, tonnage and navigation. And the seven states, whose slaves count to make members of Congress, contributed only one-fourth. Or to be more perfectly accurate, the whole amount of net revenue collected from that source throughout the United States was $8,359,227.96 of which sum $6,103,898.69 was collected in the ten slaveless states. This is the proportion of taxation and contribution to the public burdens. Now what is the proportion of representation for the same states. They have only seventy-eight members in the House of Representatives, where the others have sixty-four, fifteen of whom are added in consequence of the black population. Thus the same portion of the Union which *contributes* in the proportion of three to one, shares the representation largely in the proportion of seven to six. Should the genuine republican principle of representation proportioned to the numbers of free inhabitants be established, the same states, who would thereby lose fifteen members, would still be highly favored in their portion, since they would be represented in the ratio of two to three, while their tribute to the treasury would be only as one to three.

A final and decisive reason, however, which appears to dictate the change which we request in the Constitution, is that by experience it has been proved that the provisions of the Constitution in this article are impracticable of execution. The Constitution

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has here indissolubly connected together the proportions of *direct* taxation and representation; the one of these provisions is made as the consideration of the other, and indeed the expressions used are such as to make of both parts only one compounded proposition. Representation *and* direct taxation shall be apportioned in one and the same manner. If one part of the provision then is found impracticable, the whole must of course be so considered. The attempt has been made and has failed. A direct tax has once been assessed, but has never been levied on those very states which derive the largest accession to the representative part of the regulation from the numbers of their slaves. Hence, as the Constitution now stands, it bears with fourfold hardship on the states without representation of slaves. Of all revenues raised on the Union by *indirect* taxation *three-fourths* are levied upon them, and instead of paying less of direct taxes than their sisters they pay more. Nay, should such a tax ever again be resorted to they must expect to pay the *whole*. For the example of South Carolina and Georgia has proved that the government has not the power to raise the tax, where there is an unwillingness to pay it, and such an example is too alluring not to find multitudes of imitators. I must be permitted to dwell with a peculiar stress upon this fact; the non-payment of the direct tax in South Carolina and Georgia has not been occasioned by their inability. Blest with a mild and genial climate and a fertile soil, they have always enjoyed the advantage of producing the articles which constitute the richest source of our wealth, and within a few years they have added to their riches the incalculably valuable article of cotton. In our eastern states the climate is severe, the soil comparatively barren. Nature treats us like a stepmother, and throws us upon the world with a double portion of the original curse to which man was doomed, of earning his bread in the sweat of his brow. Besides the toils to which we are destined for subsistence, we must submit to other toils for guarding against the inclemency of the season. While the Carolinian may bask in the rays of a genial sun nearly the whole year round, the New Englandman must employ one-half

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of it to preserve himself and his cattle from perishing during the other. Instead of that luxuriant vegetation which furnishes the materials for luxurious life, his own lands will not even yield him bread of a finer grain than the native maize; he must purchase from the South that first of all articles of subsistence, and depend upon other climes and regions than his own for the staff of life. The rapidity and greatness of increase of wealth among the citizens of South Carolina and Georgia during the last two years has been a subject of universal notoriety and of general congratulation throughout the Union; and yet it is in the midst of this unexampled and unrivalled prosperity that the government has been unable in those very states to raise a small direct tax, which from the slaveless states has been exacted to the utmost cent.

To the states whose slaves contribute to their representation another inducement may be urged for resigning this unequal privilege. By the new acquisition of Louisiana they have an early prospect of adding another state with its equal number of Senators in this body, and with a rapidly increasing number of members for the other branch of the legislature. From the nature of the country and its innumerable attractions to settlement it may reasonably be expected that in the course of a few years, instead of one state they will branch into five or six. All these will of course throw their whole weight into the scale of that influence which belongs to the southern section of the Union. This was certainly never contemplated at the formation of our national compact, and it will undoubtedly suffice to give the states possessing slaves an ascendancy in the affairs of the country which ought to satisfy them. And when we consider that the price we are to pay for the purchase of that country, principal and interest, is already charged upon our duties of impost and tonnage — upon these very revenues of which the ten slaveless states furnish three-fourths — it must appear the most cruel of hardships thus in a manner to lay upon them the whole burden of acquisition which is to annihilate all their weight and influence, and to leave their interests wholly at the mercy of the rest.

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Among the objections which have been made against this measure it has been said, that the representation for slaves was given as an equivalent for the equal representation of the states in the Senate; that it was a concession of the small to the large states; and in some of the newspaper discussions upon the subject the advocates of the slavish representation have with some exultation offered to give up this privilege, on condition that the representation in the Senate shall be proportioned according to numbers, like that in the other house. If this argument is offered with sincerity, it only proves that those who advance it are very bad proficients in common arithmetic. I speak of its sincerity as problematical, because every man who has attentively considered our Constitution must know that equal representation in the Senate was a point reserved as a *sine qua non* by the small states, upon which they were determined to listen to no compromise whatsoever. This and this alone they insisted upon placing beyond the reach even of a Constitutional amendment. It was the only remnant of their sovereignty which they retained under the new government of the Union, and its equivalent is to be found not in the representation of slaves, but in the *proportionate* representation of numbers in the other house, and in the manner of electing the executive. Now the principle of representation in *proportion* is not at all affected by the amendment which we are instructed to propose, and which my colleague has offered. Far from infringing upon the principle of proportion its only object is to establish it upon a fair and equal basis — to make the *numbers* of representatives correspond with the *numbers* of their constituents.

But a clear proof that the equal representation in the Senate was not a concession on the part of the slave-holding states to those who have no slaves is that they themselves, the slave owners, are the gainers by that very equal representation. A simple process by the rule of three will show this. Under the rule of equal representation in the Senate the ten states without slaves have twenty members in this body. The seven others have fourteen. Now if the slavish three-fifths were abolished, and the representation in

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both houses was proportioned to numbers of free inhabitants; if the ratio in the Senate were such as to give the ten slaveless states the same number of members they now have, that is, twenty, the seven other states would have only twelve, and of course would lose two members. If they should have fourteen members, their present number, then the ten states without slaves would have twenty-two members, and consequently gain two. If the whole number of senators should be the same as at present, thirty-four, the proportion would then be of one senator for every one hundred and twenty-eight thousand souls, which would give to the ten slaveless states twenty-one, and to the other seven, thirteen senators; or in other words the former would gain one, and the latter would lose one of their present numbers of senators. So that in either view of the subject the loss on the part of the slave owners, and the gain on the part of the other states, would be of two members, equivalent to the vote of one whole state.

TO JOHN ADAMS

24 December, 1804.

DEAR SIR:

When I expressed a wish in writing to my brother, that you should purposely dismiss some part of that attention to the present course of public affairs which I thought contributed much to make your hours unpleasant, I was not aware that your expectations of change in the politics of a considerable portion of the States, more favorable to the real interests and morals of the country, were so sanguine. As *change* is the only permanent characteristic feature in our governments and constitutions, I cannot pretend to dispute the possibility of such an event. But as change *for the worse* has been for many years uniform and unvaried in its progress, as it still continues with increasing violence and rapidity, and as I see no source from which a turn towards change of a

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more propitious character can be foreseen with any color of reason, I cannot say that any of my anticipations are of a complexion so fair as those which afford you comfort amid the present lowering aspect of things. I have indeed a consolation of a different sort. I believe the growth and prosperity of this country to rest upon such foundations that all the vices and follies of the people or of their governments, be they what they may, will not be able to counteract them. This prosperity which is founded upon our situation and the course of nature I rely upon with great confidence; but as much as I depend upon the dispensations of Providence, just so little is my confidence in the wisdom and virtue of men.

Hitherto the session of Congress has been remarkable more for its inactivity than anything else. The object of principal expectation is the impeachment of Mr. Chase, who is summoned to make his appearance before the Senate the second day of next month. The bills for preserving peace in the ports and harbors, for regulating the clearance of armed vessels, and for establishing a prize court in the Mediterranean, have not yet got through the House of Representatives. They are liable to considerable objection, and are found upon discussion liable to greater objections than appear to have been anticipated. I dislike them all three, though I believe something ought to be done upon each of the cases to which they apply.

Our proposition for an amendment to the Constitution has not yet been taken up, and indeed it probably will have no discussion this session. So many of the state legislatures have already declared against it, without one instance of adoption or approbation, not even by Connecticut, that it would be absurd to spend time in haranguing upon it here. The time will come when its real merits will meet proper

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investigation. But at present the people of Massachusetts themselves appear to have disavowed the act of their own legislature supporting their rights and interests. What they do not choose to ask, they may rest assured their neighbors will not be anxious to grant.

General Turreau, the French Minister, is in great distress on account of his wife, Secretary, and part of his family, who sailed from Nantes for New York more than three months ago, and have not been heard of. He has with him only an aid-de-camp, a young man by name of *Marin*, apparently qualified for certain parts of diplomatic duty to an extraordinary degree. His department of negotiation must be intended to be among the ladies. Fashions, amusements, dress, and everything relating to the *bon ton de la société*, he understands to perfection and descants upon with great eloquence. He is also a great musical performer, singer and composer; a soldier, withal, who has fought all the Italian campaigns with the Emperor, and an Adonis in dress and manners. He is already quite an intimate in all the musical families, and of course in ours. I have had conversation with him on the state of things in his country, and find him as capable of serious reflection and acute observation upon subjects of importance as upon trifles.

I have had this morning a little wrestling bout with our present sovereign, Mr. Giles, who rules without control as Lord of the ascendant. He has been plunging us from one absurdity to another, until we had got so deep that it was impossible to bear it any longer. The history of the morning's debate would be curious, but too long to detail to you at present.[1] I moved a very simple and trivial amendment, which happened to touch upon his most irritable tendon and brought his majority into great perplexity between the

[1] Adams, *Memoirs*, December 24, 1804.

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absolute necessity of making the amendment which I proposed, and the equally absolute necessity of avoiding to aid or abet me in mutiny against his authority. What think you was the final expedient? The same which Plutarch tells us was once practised in Athens. You remember, when a proposition was made by a citizen of an infamous character (that is, I suppose *he was of the minority*), Aristides, I think it was, considered it so useful in itself, but so disgraced by the introducer, that he moved the same proposition should be introduced by a *respectable citizen*. Now in order to make it possible for the majority to vote for my proposition against Mr. Giles, General Jackson, and I was much obliged to him for it, undertook the part of the respectable citizen and introduced my amendment by a mere variation of phrase, whereby it carried a large majority. This is the first time Giles has got a trip this session, and he will not forget it. He has been very pointed in his civility to me, out of doors, and in conversation whenever we have met. I am thankful to him for even this. His power is such that if he should move my expulsion from the Senate because he does not like my looks, he would stand a very fair chance of success. But he has nothing insolent in his *manner*, which cannot be said of all his associates.

We have had a proposal to adjourn over this week, but it did not succeed. We are to meet again on Wednesday.

Yours faithfully.

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TO JOHN ADAMS

WASHINGTON, 5 January, 1805.

MY DEAR SIR:

. . . . . .

Mr. Giles continues to be our *Director*, and in general meets with little opposition to what he thinks beneficial to the public service. He has lost much of the vehemence in his manner which struck me when I first heard him speak in public, in 1791. And he treats his opponents with a very pointed civility. I wish his principles had moderated in proportion to his manners.

The Vice President [1] is treated by his former friends with a degree of distinction and respect to which he had before this session long been a stranger. His case is held out as being eminently entitled to compassion. He seems to be under a deeper personal obligation to one member of the Senate [2] than from his situation he ought to be, and the effect of this obligation is too perceptible on his conduct as President.

I am, etc.

TO JOHN ADAMS

WASHINGTON, 24 January, 1805.

. . . . . .

Though I find it utterly impossible ever to read all these papers [public documents], yet I feel it an indispensable duty to peruse with attention the greater part of them, and some of them require even a larger portion of time than that.

[1] Burr.

[2] Giles.

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When to this you add the necessary attendance upon my duty in the Senate, and the part which the same sense of duty leads me to take in many of its deliberations, I hope you will acquit me of any neglect arising either from indolence, or from an underestimate of the advantages I derive from your letters. It is indeed possible that I may indulge a solicitude too anxious for my personal and political situation, with respect to the business which comes before Congress. Most of the gentlemen, with whom I must commonly concur in opinion, seem to think that we may as well discard in a great degree our concern relative to the public business, as we can be under no responsibility, and as nothing we can say or do will ever be of any avail to the service. There appears to me, however, some danger in this listless abandonment of the affairs of the nation, and if little or no good can be done by the most assiduous of our exertions, I think we have the experience that much mischief may be prevented.

Your fundamental principles for pointing out the proper organization of government, that it is to control and direct the operations of *emulation*, I fully believe, and on the theory of government generally, to judge of the depth and compass of knowledge, genius and virtue among the statesmen who have made constitutions for these states, I believe you could have nothing to wish but a comparison of the Massachusetts constitution with any other that ever has been made in this country. To this comparative estimate I have recently been called by having my attention called to the collection of our constitutions, with relation to a different subject. The only part of your system upon which a doubt in my mind remains, is whether *the balance*, in its most perfect state, is so efficacious to control the effects of emulation, as you suppose.

I have never in my gloomiest moments considered my

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situation as of so trying or severe a nature as was yours during the whole period of our revolutionary controversy; but you had the advantage of a great and powerful consolation which totally fails to me, and that was, the honor and profit which you never failed to derive from your profession. I have had experience and acquired self-knowledge enough to be convinced that from my profession neither profit nor honor will ever derive to me. Not that I reluct at any toil of mind or body, not being conscious that the dread or aversion of labor is among my deficiencies; but that from both natural and adventitious circumstances in my composition and life, the bar is not my element.

We are here in a state of momentary calm, which perhaps may be the presage of a violent storm. The recession of the District of Columbia has taken four days debate in the House of Representatives, and then rejected by a large majority. The clearance bill entirely renovated will probably come for discussion again next week. Mr. Crowninshield has also offered a resolution which will furnish materials, if not for legislation, at least for eloquent speeches. On the 4th of next month is to come on the trial of the impeachment. If this proceeds, it will probably suspend in a great degree all the other business of the session. . . .

TO JOHN ADAMS

WASHINGTON, 8 March, 1805.

DEAR SIR:

During the last days of the session of Congress which has just expired, I found it impossible to continue the correspondence which I had previously maintained even so far as to enclose from day to day the public documents as they were

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printed. From ten o'clock in the morning until seven in the evening the Senate was constantly in session, with the interval of only half an hour each day for a slight collation, which the members took at the Capitol itself; and this, together with a walk of an hour to reach that place, and a walk of an hour to return from it, scarcely left me the hours of the night for repose. The scene has now closed. On Sunday evening last, the 3rd instant, at half past nine o'clock, the two Houses adjourned without day, and thus terminated a session which it was high time to bring to an end; a session which has been the parent of several legislative acts, important in themselves and promising still more important consequences. The attention both of Congress and of the public to these has, however, been almost swallowed up in the interest and anxiety with which every step of the judicial transactions, which have engrossed so large a portion of our time, has been followed and scrutinized. On the subject of Mr. Chase's impeachment, until the sentence was pronounced, I felt myself under an obligation to impose absolute silence upon my pen, and, as far as human infirmity would admit, upon my tongue. Even now, it is a subject upon which it would perhaps be most discreet for those who were called to decide upon the articles to observe a dignified and unaffected silence. The questions of guilt or innocence as they affect the man are probably at rest; but the spirit which impelled to the prosecution, and in which its highest importance consisted, is so far from being subdued or abashed, that you will perceive it has burst forth with redoubled violence from its defeat, and finding itself baffled by an unexpected resistance to the stroke it aimed at judicial independence, has not only taken a more pointed and deadly aim at that, but coupled it with another blow directed at the Senate itself. These will probably be the subject of future

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contestation, and may perhaps bring to the test the validity of some principles upon which our constitutions stand, and which have never yet been tried by the touchstone of experience.

The attack by *impeachment* upon the judicial department of our national government began two years ago, and has been conducted with great address as well as with persevering violence. The impeachment and conviction of Mr. Pickering, of a man notoriously and confessedly insane, for acts committed in that state, and during the whole course of the impeachment remaining in it, was but a preparatory step to the assault upon Judge Chase, as this in its turn was unquestionably intended to pave the way for another prosecution, which would have swept the supreme judicial bench clean at a stroke. As the experiment in the case of Mr. Pickering was completely successful, I confess I have been disappointed, agreeably disappointed, in the issue of the succeeding step. It was impossible to establish by a stronger case than that, the principle that *criminality* was not an essential ingredient of impeachable offenses. And upon the score of *humanity* it would have been certainly a much less odious transaction to convict and remove a man of the first parts, after a full and solemn trial for peccadilloes of temper stretched into crimes and misdemeanors, than to pass a like degrading and defaming sentence upon one visited with the heaviest of human calamities, and to make that awful visitation of God itself the basis of the prosecution. I can, indeed, never reflect upon the proceedings and judgments in that cruel affair without dejection of heart and humiliation of spirit. I feel for the honor of the body to which I belong, and for the honor of my country, sullied as they are by a sentence of *guilt*, inflicted upon a man for being among the most miserable of the human race, for being bereft by the

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hand of heaven of that attribute, which by rendering man rational would render him accountable. Nor can I satisfactorily explain to myself how it has happened, that the same men, who would be prevailed upon to sanction by a judgment pronounced under oath what to my mind appears so flagrant a violation of all justice and decency, should now stop and make an effectual stand in support of fair and honorable principle against *this* inroad of turbulent ambition. There is indeed one way of solving the difficulty which sometimes presents itself to my mind as probable, and which, if just, may be a foundation for substantial hope in future. The trial of Pickering did not sufficiently develop the intentions of those by whom it was managed. It did not disclose the full extent of their views. But when it was seen that on the very day of his conviction the impeachment of Mr. Chase was voted, and when the application of those absurd doctrines upon which he had been construed into a criminal was instantly extended to a judge of the Supreme Court, with undisguised intimations that it would soon be spread over the whole of that Bench, some of those whose weakness had yielded to the torrent of popular prejudice in the first instance, had the integrity to reflect, rallied all their energy to assist them, and took a stand which has arrested for a time that factious impetuosity that threatens to bury all our national institutions in one common ruin.

There were circumstances in the case of Mr. Pickering which might at once contribute to veil the designs of his prosecutors, and to apologize for the compliance of his judges. The acts for which he was impeached were committed in a state of intoxication, and although it was abundantly proved that his habits of this nature were produced by the alienation of his mind into which he had fallen, and only aggravated its symptoms, yet there was some color for

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considering a man whom his family and friends suffered to go at large and take his seat on the Bench, as justly answerable for his conduct there. The end too must go some way in that instance to justify the means. For the office of a judge Mr. Pickering was utterly disqualified, and as the sentence went only to removal, the effect worked no injustice and might reconcile to the irregularity of the process. Besides all this, it must be added that the judgment was obtained with great difficulty, and after more than one internal struggle in the party to pursue a more honorable course of proceeding. Three members of the Senate, adherents of the present administration, purposely absented themselves on the day when the sentence passed. Others had absented themselves still earlier, probably from the same motive, and his conviction was finally effected by a bare majority of the whole Senate. Of those who remained and voted I am certain several voted with extreme reluctance, and by a sacrifice of their own judgments to the domineering dictates of the managers from the House, and an unreflected acquiescence in the doctrines which were then first advanced, that impeachment, though for crimes and misdemeanors, was not a criminal prosecution, a doctrine which they were content to take for sound, as it suited the purpose for which it was then wanted, and the consequences of which they did not then stay to investigate.

It is even possible that the proceedings on that trial may have tended to produce an effect of counteraction upon that of the present session. At least the doctrine concerning impeachment then broached, and which Pickering's sentence seemed to sanction, was at the commencement of this session carried to such an extreme, that its first check was seen in a glaring absurdity of its own detection. We were seriously told in long and studied speeches that impeachment, so far

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from being a criminal prosecution, was *no prosecution at all.* That the Senate, sitting for the purpose of trying impeachment, was *not a court*, and that it ought not to derive its forms or rules of proceeding, either from courts of impeachment in other countries, or from any of the judicial courts in our own. It was even intimated that *not much* pleading ought to be allowed, and a hint sufficiently explicit was given, that a general issue, a mere declaration of "not guilty," was the only answer which ought to be received to the articles charged by the House of Representatives. Conformably to these opinions the word "court" was, in two instances at least, struck out of the rules for proceeding in cases of impeachment, reported by a committee at an early period of the session. It was, however, necessary that the witnesses should be sworn. The committee who reported the rules had not proposed *by whom* the oath should be administered. A motion was therefore made in Senate that this act should be performed *by the Secretary.* It gave rise to no small debates, for upon the principles which were so rapidly thriving and until then so irresistible prevailing, the Secretary had no authority to administer an oath, and the objection was taken on that ground. Nay, a proposal was formally made, that on the trial an ordinary magistrate should be called in to administer the oaths. Of this debate I gave you some account at the time when it occurred. It was the first stumbling-block to the new theory of impeachment, which has never recovered from the fall of that shock. When the natural and spontaneous deductions from the system had brought the Senate to this dilemma, of being bound to try an impeachment without possessing the power of administering an oath, the sturdiest of its followers began to stagger. The term "Court of Impeachment" was suffered to remain unexpunged from the Journals, though its expulsion was re-

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peatedly threatened. The necessary oaths were administered by the Secretary, and an answer containing something more than a bare plea of "not guilty" was received without objection.

The trial itself was conducted with exemplary order, decorum and solemnity. A great mass of illegal and improper evidence was indeed admitted, but that was always by consent of the parties. Not only the casual expressions dropped in private conversations among friends and intimates, as well as strangers and adversaries, in the recess of a bed-chamber as well as at public taverns and in stage coaches, had been carefully and malignantly laid up and preserved for testimony on this prosecution; not only more witnesses examined to points of *opinion*, and called upon for discrimination to such a degree as to say whether the deportment of the Judge was *imperative* or *imperious*, but hours of interrogation and answer were consumed in evidence to *looks*, to *bows*, to tones of voice and modes of speech — to prove the insufferable grievance that Mr. Chase had more than once raised a laugh at the expense of Callender's counsel, and to ascertain the tremendous fact that he had accosted the ATTORNEY GENERAL *of Virginia* by the appellation of *Young Gentleman!!* If by thumbscrews, the memory of a witness trace back for a period of five years the features of the Judge's face, it could be darkened with a frown, it was to be construed into rude and contumelious treatment of the Virginia bar; if it was found lightened with a smile, "tyrants in all ages had been notorious for their pleasantry." In short, sir, Gravity himself could not keep his countenance at the nauseating littlenesses which were resorted to for proof of atrocious criminality, and indignation melted into ridicule at the puerile perseverance with which *nothings* were accumulated, with the hope of making *something* by their

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multitude. All this, however, was received because Judge Chase would not suffer his counsel to object against it. He indulged his accusers with the utmost license of investigation which they ever derived, and contented himself with observing to the court that he expected to be judged upon the *legal* evidence in the case. The hearing was fair and to all appearance impartial. The question whether *impeachment* could be had for acts not violating any law, was discussed and sifted, until the managers themselves were compelled to abandon it, at least in its application to the cause. The form of putting the final question which had been adopted in Pickering's case was abandoned, almost without a struggle, and another was substituted, conformable to the English precedents and to correct principles. It was taken on each of the eight articles separately. And although of the thirty-four Senators present (for not a member of the body was absent), twenty-five were decided political opponents of Mr. Chase, there were fifteen who voted for acquittal upon every article. On the first article, the one upon which the great reliance of the managers was placed, the only article which by its relation to a trial for life and death could give the gloom of darkness to the lightest shade of official error, the majority of the whole Senate was for acquittal, and two among the most inveterate of the judge's political antagonists appear among the names of those who pronounced him not guilty. The eighth article was that which united the greatest number of voices against him, and the whole substance of his offense in that was the delivery of a charge to a Grand Jury at Baltimore, containing political opinions obnoxious to the predominating sentiments of the day, and to the party now in power. This was certainly not a very prudent act, but even the microscope of party spirit could not magnify it into an impeachable misdemeanor. The consti-

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tutional majority necessary to convict could not be obtained for any of the charges separately, nor for the whole taken together, and by the voices of determined political adversaries Judge Chase was acquitted of all the Articles of Impeachment preferred against him by the House of Representatives of the United States. . . .

TO JOHN ADAMS

WASHINGTON, 14 March, 1805.

MY DEAR SIR:

In my last letter I observed to you, that the form of putting the final question on the articles of impeachment against Judge Chase was varied from that which had been adopted in the case of Mr. Pickering, and made conformable to the English precedents. To show you how essentially this variation of form was connected with a most important question as to the nature of impeachment under our Constitution, I shall here state the difference between them. In Pickering's case the question was "Is John Pickering, District Judge of New Hampshire, *guilty as charged* in the —— Article?" And the answer given was "aye," or "no." In Mr. Chase's case the question was "Is Samuel Chase, the respondent, guilty or not guilty of a *high crime or misdemeanor* as charged in the article just read?" And the answer was "guilty," or "not guilty." Thus in this instance every member of the court was by the form of the question called upon to say, not only whether the facts alleged in the article were proved, but whether they constituted a high crime or misdemeanor, whereas in the former case that very material point was winked out of sight. The members answered that John Pickering was guilty as the article alleged, but whether the facts amounted to a high crime or misdemeanor they did not

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undertake to say. One would scarcely conceive it possible that in such a body as the Senate of the United States the acquittal or conviction of a man should depend upon the form of words used for taking the opinion of the members on his guilt or innocence. But so it was. The same form used at the present time was proposed and strenuously contended for in the former case, but was then inflexibly rejected. I told you that the precedent was now abandoned almost without a struggle, but it was not without very strong signs of reluctance; nor do I imagine it would have been given up, but that they, who were most earnestly bent upon the Judge's conviction, had sufficient indications to convince them that there was no prospect of such result from any form of question they could devise. On the very day the sentence was pronounced there was, indeed, a fresh attempt in Senate to prove that the power of impeachment under our Constitution was unlimited, and the power of conviction upon impeachment limited only by the proportion of numbers required to convict. But the bearing of the argument on the cause then to be determined was formally disavowed, because it was said at all events the articles charged against Mr. Chase were of high crimes or misdemeanors. This was not altogether true. For besides the frivolous nature of the charges contained in several of the articles, it is very remarkable that *one* of them, differing from all the rest, had omitted even the allegation of *evil intent*. It does not pretend to charge anything more than an error on a point of law, and discards all the imputations of partiality, intemperance, oppression, injustice and solicitude to convict, with which all the other articles are so profusely laden. This omission cannot be presumed to have been unintentional, and the insertion of that and the next article (bottomed upon the very same grounds, but carefully resuming the allegations

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of oppressive intent) afford the most unequivocal proofs of a determination to establish the principle, that judges are removable by impeachment for any mistake on a point of law. These two articles, it must also be remembered, were introduced as an after thought; were no part of the articles reported at the former session of Congress, and were now first brought forward after all the reflections and meditations of a seven months' recess. These articles contained in themselves a virtual impeachment not only of Mr. Chase, but of all the judges of the Supreme Court from the first establishment of the national judiciary. They were founded on the pretence that the federal courts were bound to follow in each state of the Union the *modes of process* usual in that state. Now one of the earliest decisions of the Supreme Court had been directly contrary to this position, and all the judges had uniformly proceeded in conformity to that decision. If Mr. Chase was removable by impeachment for having thus acted at Richmond, he had not an associate upon the Bench but was alike removable for having done the same thing elsewhere. The fate of these two articles and their construction furnishes a curious specimen of the manner in which public bodies may be brought to act. One of them, the fifth, impeached Judge Chase for issuing a *capias* against Callender, because it says the laws of Virginia required that a *summons* should issue. The very law of Virginia to which it appeals expressly authorizes the judges to issue in the cases to which it refers a summons, or *other proper process*. The article of impeachment omits these last words and, instead of a discretionary alternative, recites the law in peremptory terms requiring a summons. And yet upon this egregious misrecital of a statute as egregiously misapplied did the House of Representatives of the United States, by a majority of seventy votes against forty-five, vote an accusation against

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one of the supreme judges of the land, upon which, had his judges been no more restrained than his accusers, he must have been disgraced in reputation and ignominiously expelled from his office. On this article the vote of acquittal was unanimous. The strong stimulus of political animosity, aided by all the perverse ingenuity of party spirit, could not devise an apology upon which a single man should dare to say "guilty" to this charge, which seventy members of the House of Representatives were not ashamed to sanction with their names upon the record of accusation.

President Jefferson is reported to have said to a member of the Senate, that impeachment was but a clumsy engine to get rid of judges. His warmest friends in both houses of Congress are, I believe, by this time tolerably well convinced of the same thing. I do not imagine they will very soon attempt to ply it again. But in its stead another battery has been opened upon the judiciary, the operation of which only futurity can determine. Immediately after Mr. Chase was declared to be acquitted of all the charges brought against him by the House of Representatives, the same member [1] of that House who had originated and principally conducted impeachment offered to their consideration a proposed amendment to the Constitution, making the judges necessarily removable upon a joint address of the two branches of the legislature by simple majorities. Another of the managers,[2] the one next him in power, offered, also, a further amendment to make the members of the Senate liable at any time to be recalled by the respective legislatures. Both these propositions are made the order of the day of the House of Representatives for the first day of the next session. These motions were made just at the pungent

[1] John Randolph. Ames, *Proposed Amendments to the Constitution*, 149.

[2] Joseph Hopper Nicholson (1770–1817), of Maryland. Ames, 64.

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moment of disappointment, and were I think somewhat inconsiderately offered at the same time. I should expect that at the next session the second will be relinquished, but I also believe the other will be pursued with persevering ardor. As there is much to be said in its favor as a proper provision, independent of all application to present circumstances; as it is recommended, not only by the example of Great Britain, but by some of the best among our state constitutions; and as it must be in every point of view a desirable alteration to the ruling majority, there is the strongest probability that it will not readily be abandoned. Its success in the Senate, however, will be very problematical, at least until another election shall have intervened. Several of the members of this body besides those who voted for the full acquittal of Mr. Chase were much dissatisfied at the measure which so directly pointed at their body, and their disgust at that extended some degree of disfavor to the other proposition with which it was coupled. Both of them were felt to be intended to cast reflections upon the Senate itself, as well as upon its recent judgment and a sense of interest. The honor and dignity of the corps were discernible in the sentiments of many members who had gone the farthest towards the conviction of the judges. The Senate is not without enemies to its own constitution within its walls, and there are more yet of its members destitute of the fortitude to resist encroachments attempted by the leaders of the popular branch of the legislature. The coöperation of these men may possibly be obtained to seal the doom of the judicial department in the shape of an amendment to the Constitution, although they have not united to do it by the means of impeachment.

After the decision in favor of Mr. Chase and the two propositions in the House of Representatives, which I have

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noticed, and which all happened on the same day, there were only two days remaining to close the session; but in those two days two incidents occurred calculated to inspire an expectation, that upon the crisis which appears to be hastening upon us the Senate will ultimately prove true to its own honor and to the highest interests of our country. The judgment was given on the first of March. On the second, Mr. Burr, then Vice President, took leave of the Senate, and previous to quitting the chair delivered a valedictory address of about twenty minutes in length which appeared to make, and I believe has left, a profound impression upon the mind of every person who heard him. In this address among several other striking observations he expressed himself nearly in these words:

> And permit me to recommend to you in your future deliberations inflexibly to maintain and to cherish those habits of order and regularity which upon experience are found to be intimately connected with important principles. On a superficial view only they appear of inconsiderable consequence, but on full investigation it will be discovered that there is scarce a departure from order but leads to, or is indissolubly connected with, a departure from *morality*. *This body is growing in importance.* It is here, if anywhere, that our country must ultimately find the anchor of her safety; here the stand is to be made at once against the storms of faction, the silent arts of corruption, and, if the Constitution is to perish, which may God avert, and which I do not believe, *its dying agonies will be witnessed upon this floor.*

The allusion to the circumstances which had just taken place was obvious, and it appeared to me there was not a member present but felt the force of this solemn appeal to his sense of duty.

On the same day a difference between the two Houses arose upon a bill making provision for payment of the wit-

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nesses summoned to attend the Senate on the trial of Mr. Chase's impeachment. This bill had passed in the House of Representatives some days before, and made an appropriation of five thousand dollars to pay the witnesses summoned *on the part of the chairman of the prosecution*, and to defray any other expenses which had been incurred on the trial, and which should be certified by the *chairman of the managers*. On the second reading of the bill in Senate, the day before the sentence passed, amendments were moved to double the amount of the appropriation, to provide for the payment of expenses incurred on the occasion by order of the Vice President, certified by him, and to extend the payment of the witnesses to all those who had been summoned and attended on the part of the respondent as well as the others. The question on these amendments was by general consent postponed until after the decision upon the trial, it being observed that its aspect would be materially different according as the issue should be for conviction or for acquittal. This event having taken place, the amendments were *unanimously* adopted in Senate, but on being sent to the House of Representatives were disagreed to by them. Each house insisted in the usual form. A conference was had without producing any agreement; each house adhered to its own purpose and the bill was lost. Nor is it an inconsiderable fact that the last act of the Senate upon this bill, that of adhering, was without a dissenting voice. This question will probably be renewed at the next session of Congress, for by the failure of the Bill no provision is made for paying *any* of the witnesses, and they certainly all have a just claim to some indemnity for their time and attendance given at the regular summons of the Senate. The question whether the United States shall pay the witnesses on both sides in cases of impeachment is in many points of view important as a general

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question. It was not fully discussed in either house on this bill, and reason and precedent may be produced in support of both its sides. There were, however, in this instance circumstances peculiarly tending to influence the Senate in first adopting and finally adhering to the principle of indiscriminate payment. The acquittal of the person accused was one. But there was another which might have yet greater weight. All the witnesses had been summoned by a subpœna, the *form* of which was reported by a Committee of which Mr. Giles was chairman. This form commanded the attendance of the witness, without any indication at the suggestion of which party it had issued. None of the witnesses, therefore, could know whether they were summoned on behalf of the United States or of the respondent; their obedience was in all cases the same to the order of the Senate, and it seemed obvious that their claim for indemnity from the government stood on the same foundation. Mr. Giles very explicitly declared himself in favor of the principle and gave it as his unequivocal opinion that it should in point of justice and policy be extended to all cases of impeachment, whether the sentence should be for acquittal or for conviction.

The fate of this bill was succeeded by an attempt in the House of Representatives to provide by their single act a substitute for it. A *resolution* was offered directing the payment of the witnesses summoned on their part from the contingent fund of the House, and this resolution prescribed the sum which should be allowed to each witness for his travel and attendance. It would inevitably have been carried, but that the number of members then remaining, disposed to rush into such extremes, was not sufficient of itself to form a quorum. And the members opposed to the measure, whenever it was called up, withdrew from the House.

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Let it be remembered that *this* effort to extend the "undefined field of contingencies" was made by those who have been most clamorous for the extremest detail of specific appropriation.

It was in this situation, with the two houses of Congress in positions of direct opposition against each other, with the House of Representatives aiming with huge two handed sway, at the same moment a cut at the supreme judiciary and a thrust at the Senate; with the same House of Representatives floating between anarchy and discord at one moment, unable to make a quorum, and at the next unable to keep it for the purpose of acting with a majority attempting with blushless face a flagrant violation of the Constitution, and a minority defeating their purpose by repeated secessions in a mass, with some important bills at the point of falling through, though passed by both branches, because the Speaker could not sign them without a quorum present — in this situation it was, that at half past nine in the evening of Sunday the 3rd of March, the eighth Congress of the United States terminated its existence, and I have been induced by two motives to give you the detail contained in this and my last letter. The one, because the transactions which I have related may be the precursors of events more highly momentous, and as such deserve peculiarly to be noted down; and the other, because I was desirous to make you some return for the excellent letters I have received from you in the course of the winter, and which my engagements at the time compelled me to leave unanswered. I thought the narrative might afford you some amusement, and knew it would furnish you a fund for useful reflections, of which I indulge the hope of sharing in the benefit. . . .

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TO SAMUEL DEXTER [1]

QUINCY, 6 August, 1805.

SIR:

Being highly sensible of the honor done me by the government of the University, in appointing me to the professorship of rhetoric and oratory, founded by Mr. N. Boylston, and believing that the objects of that institution are of much importance to the reputation and honor of our country, I have felt a warm and anxious desire to justify as far as I am able the confidence thus reposed in me, and to undertake the discharge of functions, for which, however deficient in all other respects, I was conscious of a zealous and affectionate attachment. In considering attentively however the rules, directions and statutes under which this professorship is placed, I find them such as it would be worse than presumption for me to pledge myself to, since I could not form the engagement without knowing my incompetency to perform its promise.

The duties assigned to the professor would require his constant, unremitting attendance at the college, in term time, during the whole year. Avocations from which I do not feel myself authorized or inclined to seek a dispensation call me to a distant part of the country during half the year. These indeed may be temporary, and cease in the course of a few years, but in such case they will be followed by others which would render a constant residence or attendance at Cambridge through the year alike impracticable for me.

It was suggested by some gentlemen of the committee, that perhaps such a modification of the statutes might be

[1] Chairman of the Committee of the Corporation and Overseers of Harvard University.

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adopted as would render my performance of the duties compatible with a residence in the neighborhood of Cambridge, and with occasional absence on necessary attendance to other employments; and as the committee appeared desirous that I should specify what part of the duties prescribed by the rules I could positively undertake, I have no hesitation in complying with their request.

The course of public lectures to the two Senior classes and resident graduates is by the statutes to be given in weekly lectures. This of course contemplates a series of about forty lectures. The objects to which the attention of the lecturer is directed by the regulations could not, indeed, be properly treated in the compass of a smaller number. Instead of reading this course by one weekly lecture, I should readily engage to accomplish the same object by two lectures a week, during that part of the year when I could give my attendance. But as the first composition of the course must obviously be a work of much labor, and require a very attentive perusal of numerous writers in various languages, some of which are not altogether familiar to me, I should expect to be allowed two years in the first instance for the completion of the course. Thus in the course of the next summer, I should hold myself engaged to go through half the course with the hope of finishing the remainder the succeeding year, after which I should be content to go through the whole course every year by two lectures in the week in the summer terms.

The next object in the regulations which appears more peculiarly to belong to this branch of instruction is that which relates to the *elocution* of the students. And if the other arrangements of the college exercises could be so adapted, that the public declamations of the two Senior classes should be fixed on the same days when I should

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attend to give the public lectures, I would readily devote the day to the purpose of presiding at them. I should also give the necessary attendance to hear in private the performances previous to the annual commencement, and when practicable, previous to the exhibitions. Further than this will certainly not be in my power, and even to the performance of this, I am deeply conscious of needing a full share of the customary indulgence experienced by other instructors.

There is another part of the statutes which I feel myself under an indispensable obligation to request may be revised. It is that part of the third article which imposes upon the professor a religious test, to be applied publicly on the day of his inauguration. The Constitution of the Commonwealth has made a general declaration of belief in the Christian religion sufficient for admission to the highest offices of the State, and in the opinion of many wise, virtuous and pious citizens even that requisition is too much. With the most perfect deference and respect for the legislature of the college, I must question their authority to require my subscription to a creed not recognized by the Constitution or laws of the State; nor do I perceive in a professorship of rhetoric and oratory anything which peculiarly calls for so minute a scrutiny into the details of the professor's religious opinions as is here proposed. I beg to be understood that this objection has reference more to the interest of the institution itself, than personally to me. It is to the test itself, and not to the doctrines which it prescribes. These I wish to leave undisturbed by any controversy; reserving my confession of faith for my Maker, and desirous of seeing my fellow creatures enjoy the same indulgence.

I cannot conclude without expressing my wish, sir, that in their deliberations upon this occasion, the Corporation and Overseers would altogether discard every consideration

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of personal accommodation to me; that the interests and the feelings of the man may be altogether excluded, and the interests of the University alone consulted; assuring you and them that if, in their opinion, the welfare of the students will be promoted by the election of a person so situated as to have the performance of all the duties assigned by the statutes in his power, I shall most cheerfully acquiesce in the decision. In that case, they will consider this letter as declining the acceptance of the office, with the offer of which they have honored me, and proceed when they shall think proper to the choice of another person.

I am, &c.

TO THE CORPORATION OF HARVARD COLLEGE

QUINCY, 11 October, 1805.

GENTLEMEN:

A vote of the Corporation, dated 2 September, has been communicated to me by the Honorable Judge Davis, which vote having passed on consideration of my letter to the chairman of the committee of the Corporation and Overseers of 7 [6] August last, I am requested to state in writing my observations upon it.

The declaration proposed to be substituted instead of that originally required by the third article of the rules and regulations, is such as I can have no objection to making.

But the proviso "that suitable provision be made for the performance by some competent *substitute* of the duties which may not be required to be performed by the professor of rhetoric and oratory, *personally;* said substitute to be appointed by the Corporation and Overseers, and his *title, powers* and *duties* to be by them designated," is liable to some difficulties.

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In its most obvious construction it proposes a *deputy* totally independent of and beyond the control of his principal. And if this was not the real intention of the vote its inevitable operation must be such; since upon points of instruction, relative to an object so dependent upon taste as elocution, the *exercise* of any control over the principles or practice of an instructor would in my mind be inconsistent with the delicacy of deportment due from one gentleman to another, even if the power of such control were absolutely given.

It would, therefore, be substantially a separate and distinct establishment, yet so connected with the professorship as might lead to unpleasant differences between the two teachers, and become a source of embarrassment and perplexity, if not of contempt, to the students.

I would respectfully submit also to the consideration of the Corporation, how far the establishment of a substitute would be consistent with the manifest intention of the Boylston foundation itself. By that foundation the subject of rhetoric and oratory is supposed to be properly within the department of *one* person; and although it could not be the wish of the founder to tie the hands of the college government from the establishment of any other similar institution, yet is it imaginable that he would have devoted a part of his estate to this object, had he foreseen that it would be divided into a double foundation, or provided for by other means? If a part of the professor's *defined duties* may be substituted off upon a vicar, why may not the whole be disposed of in the same manner? If the principle of substitution may be grafted upon a branch of the professorship, what should hinder its being made in future to cover the whole stock? A progress of things in such a course as this is not without example; but its ultimate issue *has* ever been a total

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perversion of the appropriation from its intended destination.

In one particular these remarks have a bearing upon my personal concern, which will I hope serve as my justification for making them. In undertaking the duties of this office I should consider myself bound by all the means in my competency to fulfil the intentions of the founder. But such is the minuteness of the rules and regulations prescribed, that nothing is left to the discretion or to the judgment of the professor. Perhaps the modes of instruction pointed out in these rules may be the best that could be devised. The subject being entirely new to me I certainly have nothing to propose which might be better adapted to the purpose. Something may possibly be suggested by experience, and by the reflections which a course of time devoted to the institution may occasion. In such a contingency I should rely upon a disposition on the part of the college government to weigh with candor and indulgence any proposals for variations in the exercises, to facilitate the instruction of the students in this part of their education. But if any such measures should require consideration, shackled with the existence of another officer charged with a part of the professor's duties, I apprehend the chances of improvement in the system would be very much impaired.

I very sincerely lament the trouble which you gentlemen have had on this occasion, and as it may possibly prevent further embarrassments of the same kind, if I give you explicitly my ideas upon the subject, I will observe that the original rules and regulations formed a *system* of instruction on this foundation which it would be impossible for me to carry into effect. I was requested to state in writing what *part* of that system I could engage to accomplish, and in consequence wrote my former letter to the chairman of your

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committee. But it was never my wish or idea to obtain a personal accommodation to myself by a permission to have a substitute assigned me to perform part of my duties. The duties of the office if I hold it must be discharged by myself. Were they such as to leave me any exercise of my own judgment in respect to the modes of instruction I should be happy to undertake them. Were they all prescribed to me, but of a nature to require only the portion of time which I can *apply* to this occupation, I should cheerfully assume them; being as they are, requiring a daily and unintermitted attendance in term time the whole year round, I would still from my zeal for the interests of the University, and particularly for the objects of foundation, engage to perform them, were I not certain it would be pledging myself to what I cannot accomplish. A modification of the duties themselves, not of the manner in which they are to be executed, is what I have to request, if it be deemed perfectly consistent with the views of the founder, and with the honor of the college and its government.

I am, &c.

TO JOHN ADAMS

WASHINGTON, 6 December, 1805.

DEAR SIR:

I inclosed under a blank cover to you a copy of the President's message on the day when it was delivered, and having now to inclose a letter from my wife to my mother, and a bill which has already passed both Houses of Congress, I cannot forbear writing a line with it to recall myself to your kind remembrance.

You will perceive tnat the message is in a style and tone which have not been fashionable of late years. It is probable

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the representatives of the people will not readily pledge themselves to the responsibility of all measures of energy which it recommends. The dispositions of the representatives towards each other, as far as can yet be observed, is less acrimonious than for some years past. But no occasion has yet occurred to call forth manifestations of temper.

The inclosed bill covers only a part of the deficiency in the naval appropriation for the current year. Its whole amount is of 600,000 dollars. The bill passed the House of Representatives on a bare statement that the deficiency existed and without a question asked. In Senate on a motion of Mr. Tracy the Secretary of the Navy was called on for the reasons of this deficiency, and he has made a report which you will see when printed. To meet some of the expenses which have so far outrun the prior provisions and which pressed for payment before Congress met, the system of *specific* appropriation has been freely trampled under feet.

I this day occasionally met and instantly recognized our old friend Captain Landais, whom I had not seen for upwards of twenty years. But I had some difficulty to brush up his remembrance of me. When brought fully to his recollection he was very particular in his inquiries after you, whom he tells me he saw not many years since.[1]

[1] December 8, "Captain Landais, an old acquaintance whom I had not seen for upwards of twenty years, called upon me this morning, and sat with me a couple of hours, which prevented me from going out. I had recognized him two days since walking in one of the entrance rooms at the Capitol, and accosted him by name. He did not then immediately know me; but on my explaining to him who I was, remembered me. My acquaintance with him was in the spring and summer of the year 1779, at Brest, Nantes and l'Orient, on board the frigate *Alliance* which he then commanded, and on board of which I was to have returned with my father to this country. But the destination of the *Alliance* was changed, and we came home in the French frigate *la Sensible*. Captain Landais this morning gave me a history of his life since that time, which has been various and full of adventure. He is now

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Love to my dear children, duty and affection to my mother, and kind regards to all the family, with which I am ever yours.

TO RICHARD RUSH

WASHINGTON, 12 December, 1805.

MY DEAR SIR:

I have just received your favor of the 8th instant, and can only assure you that I have no reason to suppose there is the smallest foundation for the report to which you allude, but on the contrary that I have good reason for believing it altogether groundless. That any such mission is contemplated by the government appears to me not very probable, but if it is, the person selected for it will be different.

Your desire of visiting Europe is very natural, and is dictated by views so honorable that I hope you will find some real occasion by which it may be gratified.

I shall according to your request consider your letter as altogether confidential, and beg leave to be persuaded that in anything within my power I shall ever be happy to prove to you the sincerity of the esteem and friendship with which I am, &c.[1]

TO JOHN ADAMS

WASHINGTON, 14 January, 1806.

. . . . . .

Your ploughing in December is an occupation which I need not say to you is much more agreeable than laboring

here with a claim upon Congress for his share of certain prizes captured by him during the American War." Ms. *Diary*.

[1] Rush asked to be appointed secretary of legation under Adams, whose name was mentioned in connection with the London mission. The rumor reached Monroe, then in London. *Writings of Monroe*, IV. 398.

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at the political plough. The season here has been in all respects uncommonly mild until within these few days, and the world of parties and legislation as moderate as the temperature of the atmosphere. But as the new year advances the weather grows cold, and we grow warm. We are very much perplexed what we shall do to manifest our valor without hazarding our persons, and after spending a long session in discussing the subject, we shall in all probability finish without doing anything of importance. At least I have already seen enough to convince me that we shall do nothing good. For the protection of our territory or of our commerce we shall do nothing; but we may very possibly prepare for the abandonment of the first, and contribute our share to the sacrifices of the last. We shall perhaps enter into the unprofitable contest with Great Britain which can do the most harm, *not* to the other, but to ourselves. In this emulation of mischief I am far from being certain but that we shall bear the palm.

Reports are in circulation that all our differences with Spain are already settled entirely to our advantage, but if not we shall try again to *trade* with her for land. We shall perhaps offer her almost all our province of Louisiana for the Floridas, or, if she likes it better, more money; fighting her we have almost done even talking of.

Captain Landais particularly desires me to present his respects to you. I have sent you the report of the Secretary of State on his petition or memorial. The papers are curious, and Count Bernstorff's letter in answer to the application of Dr. Franklin is amusing, as it shows the old gentleman's embarrassment between the alternate pressure of England on one side, and France on the other. He appears to have understood that his most effectual means of extricating himself was to drown his outrage against the

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United States in a flood of personal adulation to their minister.[1]

Our Tunisian and Indian visitors are still the principal objects of curiosity we have to entertain us. Many of the Indians who were here are gone, but others have come to take their places without any invitation, and they are so numerous as to occasion some uneasiness among the inhabitants of this neighborhood. They are sometimes troublesome by introducing themselves unexpectedly to private houses, and their habits of intemperance sometimes make them uncomfortable companions.

Mr. Giles and Mr. Bayard have not yet taken their seats this session. I suppose they will arrive nearly together. Their absence leaves both sides of the House in a manner without leaders, and a great degree of unsteadiness and languor hangs over our proceedings in consequence of this circumstance. We find great reason to regret the loss of our late President.[2]

. . . . . .

I remain, &c.

RESOLUTIONS [3]

[February, 1806.]

Resolved, That the Capture and Condemnation of American Vessels and their Cargoes under the orders of the British Govern-

[1] Andreas Peder, Count Bernstorff (1735–1797), Minister of Foreign Affairs in Denmark (1772–1780). The letters are in *Writings of Franklin* (Smyth), VII. 420. The report on Landais is in *American State Papers*, Foreign Relations, II. 773.

[2] Aaron Burr.

[3] These resolutions, "reported by a committee of which I was a member, and drawn up by me," are among the Adams Mss. They were considered by the Senate, February 12, 13, 14, 1806. The first was adopted unanimously; the second, after a debate of two days, by a vote of twenty-three to seven, the words *and insist upon*

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ment on the pretext of their being engaged in a trade with the Enemies of Great Britain *not permitted before the war* is an unprovoked aggression upon the property of the citizens of these United States a wanton violation of their neutral rights and a direct encroachment upon their national Independence.

Resolved, That the President of the United States be requested to instruct the Minister of the United States at the Court of Great Britain to demand and insist upon the immediate restoration of the property of the Citizens of the United States which has been or may be captured and condemned on the said pretext and upon their indemnification for their losses and damages sustained by such arbitrary seizures and unjust condemnations.

Resolved, That it is expedient by Law to suspend the power of transfer upon all Certificates in the funds or Bank Stock of the United States held by subjects of the king of Great Britain until the British Government shall have given satisfaction to the United States on the subject of the said captures and condemnations and no longer. And that the Committee be directed to bring in a bill for that purpose.

TO JOHN ADAMS

WASHINGTON, 11 February, 1806.

Since the date of your favor of the 29th ultimo you have doubtless received many additional documents, confirming your opinion of the system of policy prevalent here in relation to our foreign affairs. Unqualified submission to France and unqualified defiance of Great Britain are indeed the two pillars upon which our measures are to rest, and numerous as the proofs are which you will have of these facts, you have probably still no conception of the extremes to which it has already been carried. The prohibition of the trade to St.

being stricken out by a vote of sixteen to fifteen; and the third, "belonging to Gen[illegible] eral Smith and Mr. Anderson" was not adopted. See Adams, *Memoirs*.

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Domingo is now upon its last stage in Senate, and in all probability before I close this letter will be passed.[1] But this is nothing, comparatively speaking. The general tendency of opinions and passions which govern our administration has always been such that this course might have been expected from the commencement of our session; but all the events which have recently occurred in Europe, and the knowledge of which has come to us since our meeting, have very powerfully contributed to confirm this course of measures. Our people have indeed an enthusiastic opinion of the power of France, and if there could before have remained any doubt of the foundation upon which that opinion stands, what can be replied to the proofs of Bonaparte's armies in Vienna, and the whole Austrian Empire sinking before them almost without a struggle of resistance. The continent of Europe, it cannot be questioned, is not only prostrate at the feet of France, but to all appearance irretrievably subdued. How long the insular situation of Great Britain and her naval force will enable her to bear up against this universal suppression, is not easy to say; but that she too must sink sooner or later under such a mass and impetus of force can hardly be questioned.

I know not to what extent France will avail herself of the situation in which she stands to dictate humiliation or submission to us; but this I have no reason to doubt, that whatsoever she shall please to command we shall comply with.

There is only one doubt yet remaining upon my mind as to the ruling principle of our foreign policy, and that is, whether in the terrors we are assuming against Great Britain there is not as much or more of vapor than of substance. There are some indications which might lead to the conclu-

[1] Adams, *Memoirs*, January 15, *et seq.* He had made a speech on the measure, December 20, 1805. *Annals of Congress*, 9th Cong., 1st. Sess., 29.

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sion, that when we come to the critical moment we shall not be so terrible as we now threaten. The tables of both Houses are loaded with motion upon motion for non-intercourse, for non-importation, for navigation acts, for retaliation and reprisal, for confiscation of debts, and for everything that can exhibit temper against the British; but to all this there is besides the opposition which it will meet from *reasonable* quarters, a vast body of opposition lurking among the friends of the administration itself. All the *quakerish* members of both Houses are averse to anything that looks even by a squint towards energy. Being for peace all the world over, they begin to discover that these measures may give offence to Great Britain, and they think the only course to be pursued is negotiation. Besides this the members for the *Southern* states discover reluctance to agree upon anything which may obstruct the freedom of their trade in foreign ships, or affect the exportation of their cotton. It is obvious that great efforts are making to stimulate the passions of the people, and to lash into fermentation the blood of their representatives; but it is not yet equally clear that this plan will be so far successful as to show itself in the form of law.

By one of the documents inclosed you will perceive that Mr. J. Randolph has renewed his motion for an amendment to the Constitution making the judges removable upon the address of the two Houses. It is probable that this will pass by a competent proportion of votes in the House of Representatives. What will be its fate in Senate I am unable to foresee.[1]

The Supreme Court of the United States is now in session. All the judges are here excepting Mr. Chase, who is very ill at Baltimore. Judge Cushing is also unwell, and has hitherto

[1] *Annals of Congress*, 9th Cong., 1st. Sess., 500. No action on the resolution was taken.

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not been able to take his seat. The Court did not sit until Saturday, a competent number of the judges not having arrived until then. I am so confined by my attendance in Senate and upon the business transacting in Senate that I shall not be able to attend the Court as I should wish.

The pressure of business has also forcibly driven my classical studies from my head. I do indeed still appropriate about an hour a day to that object, but it is little better than a lost hour; the studies of a scholar require a mind at ease, a vacant mind, or at least a mind not engrossed by other objects. But when the questions of public import and measures of national deliberation take hold of my mind, and have warmly engaged me nine or ten hours in the day, I lose entirely the power of abstraction and the means of studying the poetry, history, or languages of antiquity. A similar cause will I hope excuse any incoherence which you may frequently perceive in my letters to you and my other friends from this place. I am obliged to write in the midst of debates to which I cannot avoid giving more or less of attention at the very time I am writing. At this moment, for instance, Dr. Mitchill is giving us a dissertation upon saltpetre, and telling us of all the rocks, dens, caves, fens and mountain sides, where it is to be found in the United States, on a bill to prohibit the exportation of arms and ammunition. The St. Domingo trade bill has been re-committed to a select committee for amendment.

. . . . . .

I remain, &c.[1]

[1] On February 13, 1806, Adams introduced a bill "to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States." It is printed in *Annals of Congress*, 9th Cong., 1st Sess., 92. The bill was reported with amendments, February 20, and Adams delivered a speech in its favor March 3, which is also printed. (*Ib.*, 145.) The measure was rejected March 7. "I have read your bill. What the corps diplomatique will think of it I know not. It is a danger-

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TO WILLIAM STEPHENS SMITH

WASHINGTON, 26 March, 1806.

DEAR SIR:

I received last evening your favor of the 23rd. The appointment of Mr. Schenck had been two or three days before confirmed by the Senate. I most sincerely lament your removal from the office of Surveyor, but this act is exclusively within the power of the President, and the only notice he usually gives to the Senate of a removal is by a new nomination to the office. Such was the case in the present instance. The first intimation I had of your being suspended was the nomination of the new officer. Neither have the Senate, or I believe any of your friends in this body, any influence which could affect a nomination in favor of your brother, or in opposition to that which was made.

With respect to your connection with General Miranda, or the knowledge which the President or Secretary of State had of his projects, I know nothing but what is to be collected from the newspapers; never having had any communication from you, from Miranda, or from the Executive on this subject.[1] If you were induced to believe that it was the President's intention to countenance any purpose of hostility to

ous and delicate subject; but something seems necessary to be done, to prevent too much petulance and impertinence." *John Adams to John Quincy Adams*, February 26, 1806. Ms.

"Your disapprobation of the bill concerning foreign ministers, which I introduced, reconciled me to its fate more than the decision upon it, which had taken place before I knew your opinion. I still think, however, that we shall find some legislative provision necessary upon the subject, and still doubt the President's constitutional powers, *without* a law, to check something worse than insolence in a foreign minister, if it should happen." *To John Adams*, March 28, 1806. Ms.

[1] The history of Miranda's projects is told by Robertson, in *Am. Historical Association Report*, 1907, I. 189.

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Spain, I very much regret both the fact and its consequences. That he had no such intention is obvious from the course of policy which has prevailed, and has always appeared evident to me, from the time when I had last the pleasure of seeing you at New York. Of the grounds you may have had for a different inference I am unable to judge, not knowing what they were.

I am, &c.[1]

TO WILLIAM STEPHENS SMITH

WASHINGTON, 16 April, 1806.

DEAR SIR:

I have within these few days successively received your two letters, one of them containing the relation of the circumstances respecting General Miranda's projects, and your relations with him while he was in this country, and the other containing the request that I would write an oration for your son John. On the first of these subjects I trust that in the trial of the cause on the bill found by the Grand Jury, of which I have seen an account in the New York prints, you will have competent proof to produce that you have not violated the laws of the United States. As to the conduct of the President and Secretary of State, whether they said too much to Miranda, or whether he inferred from what they said or did more than he was warranted to infer, I am at present very incompetent to determine. That he misunderstood or misrepresented their real intentions I have no doubt. Where the mistake originated must remain for the present a matter of opinion.

[1] On April 1, Adams spoke against a bill for the relief of Hamet Caramelli, ex-Bashaw of Tripoli. His speech is printed in *Annals of Congress*, 9th Cong., 1st Sess., 211.

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My own occupations so fully engross my time that I fear it will not be in my power to write the oration, and I have so much confidence in the genius and acquirements of your son, that I believe him able to honor himself more by writing his own performance at his Commencement, than by depending upon a friend for the production. I have an high opinion of his good sense, discretion and application, and am persuaded he will acquit himself very creditably without any assistance from abroad.

Congress are to adjourn next Monday the 21st. They break up under a variety of unpleasant and unpromising circumstances. I propose to leave this place about the 25th, and hope to have the pleasure of seeing you before the last of the month. My wife remains here for the present, and probably will remain here through the summer.

I am, &c.

TO SAMUEL BARRON [1]

WASHINGTON, 18 April, 1806.

SIR:

As it is probable that the transactions relative to the close of the war, and the negotiations for the peace with Tripoli, will again become a subject of deliberation at the next session of Congress, and as it may perhaps not be in my power to obtain then the information which is only in your possession, and which I think important to elucidate the subject, I take the liberty to request your answer to the following questions, and also for any other information relative to the same object which you may think proper to communicate.

1. What was your particular object and intention in sending Mr. Eaton into Egypt after Hamet Bashaw?

[1] Henry Adams, *History*, II. 431.

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2. Was this object and intention understood by Mr. Eaton at that time?

3. What was the amount of the supplies furnished by you to Hamet Bashaw, besides those for which Mr. Eaton was accountable?

4. What were the circumstances which induced you to recommend to Mr. Lear the negotiation of peace with the reigning Bashaw?

5. Did you conceive yourself authorized to furnish men from the squadron to lead a *coup de main* against Tripoli?

6. Do you know what number of men Hamet Bashaw and Mr. Eaton had with them, at and after the taking of Derne?

7. What is the distance from Derne to Tripoli by land, and what is your opinion of the practicability of Hamet's marching to Tripoli with the force he had, or could command?

8. What was the information of Hamet Bashaw's want of means and resources, which finally induced you to abandon the plan of coöperation with him?

9. What was his situation in Egypt when found there by Mr. Eaton?

And if you have no objection I shall also thank you for a *certified* copy of that letter from Mr. Blake, which you showed me, wherein the conversation between Mr. Eaton and Hamet Bashaw was related.

If you can further refer me to any other person possessed of information, which may be of use to exhibit the real state of these affairs, I shall esteem it a further obligation and remain, &c.[1]

[1] See *American State Papers*, Foreign Relations, II. 695.

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TO LOUISA CATHERINE ADAMS

May 1, 1806.

. . . I am lodged at the City Hotel. Yesterday I dined with Mr. King and spent the last evening at Colo. Trumbull's. The city of New York is in the greatest bustle I ever witnessed. This is the universal moving day, and about half the inhabitants are changing their places of abode. They are also in the midst of a warmly contested election for members of Congress and of their state legislature. The federalists, for the first time these two or three years, have run no candidates of their own, and though they do not much expect to carry the election, there is no doubt but they will come very near succeeding. Besides all this there has been great agitation in the city from the unfortunate occurrence on Saturday last. The British ships *Leander* and *Cambrian* are lying off the port, and a shot from the first of them killed a man on board a coasting vessel coming from the Delaware. All communication with the ships has been since cut off, and two or three of their officers are on shore, and cannot get on board. The grand jury of the city and county have found a bill of indictment against the captain of the *Leander* for murder, and a representation of the facts has been sent on to the President at Washington, where no doubt you will hear much of this event. . . .

May 10, 1806.

. . . On Tuesday I went with my father to Cambridge to attend the inauguration of the new President of the college, Mr. [Samuel] Webber. The ceremonies of the day were sufficiently dull. The performances mostly in Latin, with a comfortable proportion of English in the idiom to make it intelligible. There was, however, a young gentleman [Sam-

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uel Cary], just out of college, who knew more about *making* Latin, as they call it at school, than the rest, and pronounced a sort of complimentary oration, which would have pleased me very well, but for a little prophetical sally, in which he told them what wonders of eloquence they were to perform when the new professor should come. My turn will be next, and as there is no installation without a speech, I have asked the privilege of pronouncing it in a language which I can write, and the hearers can understand. I expect to be indulged, though some of the adherents to the old school are very tenacious of the immemorial usage and abhorrent of innovation. . . . At Mr. Amory's I met Sir Isaac Coffin, a British admiral, who has just arrived from England. . . . He tells me that Mr. Merry is recalled, and a Lord Selkirk appointed in his stead. This Lord Selkirk is said to be a great *philosopher;* and perhaps may be of great use to you know whom, in helping to make a *moon*. . . .

June 1, 1806.

. . . It has been a week full of noise and bustle, being what we call election week, the character of which you will remember. The legislature met on Wednesday. The number of members in the House of Representatives is upwards of four hundred and sixty, and nearly double the number which has heretofore been usual. The democrats have a majority of about fifty members, and Mr. Morton was of course chosen Speaker. In the Senate the numbers are more equally divided. There were thirty-nine members chosen, of whom nineteen are federalists and twenty democrats. They have found it impossible as yet to choose a President, the votes being divided between Mr. Otis and Mr. [John] Bacon, a man once known at Washington. They have, however, made him preside as the oldest member, and have filled

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up the vacancy of a member, which will give them a decided majority. We are still uncertain who will be the governor. There is a majority of some hundred votes in favor of Mr. Strong; but the two houses are the judges of the returns, and have the power to throw out all the votes not regularly returned. It is supposed that a sufficient number of the federal votes will be rejected to take off the majority, and then the choice will be made by the legislature. In that case there is no doubt but Mr. Sullivan will be chosen. . . .[1]

June 8, 1806.

. . . Mr. Sullivan will undoubtedly be governor. Mr. Strong had indeed a full majority of all the votes returned; but as the Senate and House of Representatives decide upon the *validity* of the returns, and as there is a majority in both houses opposed to the governor, they have appointed a committee who reported to *reject* as not legally returned just votes enough to take the complete majority from Strong. Then the election is to be made by the legislature, and of course Mr. Sullivan will be chosen. The Senate have already accepted the report of the committee, and it goes to the House of Representatives for discussion tomorrow. The issue is foreseen, but it has already taken up almost as much time as our legislature generally sit at this season of the year. . . .

Quincy, 15 June, 1806.

. . . . . .

On Thursday afternoon at 5 o'clock, the installation took place. The time fixed for the purpose was half past three; but a heavy thunder gust came up exactly at that time and delayed the performances nearly two hours. It also pre-

[1] See Stanwood, Massachusetts Election in 1806, 2 *Mass. Hist. Soc. Proceedings*, xx. 12.

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vented the attendance of many persons, and the company was very small. The heat was excessive, and I suffered much from it. The auditory were I believe in general well satisfied with my discourse, which was very short.[1] I returned the same evening to Boston. This week I expect to go to Cambridge and to reside there three or four months. I am to have a chamber at Dr. Waterhouse's.

The great political question who should be governor is at length settled, and Mr. Strong is in for one year more. We had a clear majority of all the votes returned, but an attempt was made and pushed with an unusual violence of party spirit to reject a number of votes sufficient to prevent him from having a majority of the whole number. A committee of the two houses of the legislature, five demos against two federalists, did accomplish the object as far as depended on them. They contrived to reject just votes enough to leave the governor short of the complete majority by fourteen; and it is amusing to observe the expedients to which

[1] As Boylston Professor of Rhetoric and Oratory. See Adams, *Memoirs*, June 12, 1806. The inaugural address was printed at the request of the students as a pamphlet.

"This address was in the highest degree elegant, classical, and energetic; abounding in fertility of illustration, force of delivery, and originality of remark. Though 'the wand of Hermes is no longer the sceptre of Empire,' yet the Speaker convinced us that eloquence 'has awoke from her slumbers and shaken the poppies from her brow'; has conquered the barbarism of Language, by softening the harshness of the English into the harmony of the Latin tongue, and can again control the passions of mankind by irresistible persuasion." *The Repertory*, June 17, 1806. "Mr. Adams' Discourse gave high gratification to an intelligent and discriminating audience. . . . In so wide a field, it is obvious that the speaker was in danger of being oppressed with the multiplicity of his topics, and that the principal difficulty, which he had to encounter, was that of making a judicious selection. This embarrassment was completely surmounted, and the audience was delighted with a free, strong and perspicuous outline of the nature, history and practice of this preëminent art, sketched by the hand of a master. We congratulate *Alma Mater* on the acquisition of such an instructor." *Columbian Centinel*, June 18, 1806.

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they resorted for that purpose. The Senate after long and warm debates accepted the report of the committee in all its parts, but the members of the minority entered a protest against the decision, which has appeared in all our newspapers and shows the grounds of controversy.[1] When the report however pass'd down to the House of Representatives, many of the party began to stagger. The general sentiment abroad was much against them, and their own partisans were ashamed to support what they were doing. All of a sudden they bethought themselves to reject the votes of two towns more, by which means the majority was restored to Mr. Strong: they immediately declared him to be chosen. And when I left Boston on Thursday to go up to Cambridge all the bells were ringing for joy that he was having the oaths of office administered to him. He is, however, the only federalist left in the government. The legislature have changed all the officers annually elected by them, and the governor's council is completely altered.

We are in expectation of a *total* eclipse of the sun tomorrow morning. This is a very rare occurrence and has never been known to happen in Boston since the settlement of the country. There is, indeed, some little question whether it will be total here even now, as there are two calculations, one of which makes it less than total by about a minute and a half. At Washington you will see it very large, but the sun will not be wholly eclipsed by nearly one-twelfth. The little society which you remember I once belonged to in Boston have made some preparations for observing it with some attention, and are provided with glasses for the purpose. I have agreed to meet with them in Mr. Bussey's garden, which he has offered them to take their observations.

. . . . . .

[1] See *The Repertory*, June 13, 1806.

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CAMBRIDGE, 22 June, 1806.

. . . . . .

I just mentioned to you in a line which I wrote you on Wednesday that I had with a company of philosophers observed the eclipse in Mr. Bussey's garden. It was indeed a very remarkable sight. The principal part of it you must have witness'd at Washington, but many of the most curious phenomena were those which arose from the total obscuration of the sun. His face was *entirely* covered at Boston about four minutes and a half. The darkness was such that it would have been impossible to read a small print, and I was obliged to use a lanthorn to observe the state of my thermometer. The fowls roosted. The lowing herd wound slowly o'er the lea. The western horizon with a sky perfectly serene looked as if it had been charged with one of the heaviest thunder clouds. The moon appeared like a patch of court plaister upon the face of Heaven, and all round the edges of her disk was a luminous border like that which you sometimes see round the edges of a dark cloud. Just before the sun came out the edge of the moon on the side from which he was to proceed assumed a deep crimson color, but never since my existence have I seen anything like the brightness of the first beam which he shot forth upon his return. The naked eye could not bear it for an instant, though for several minutes before his face was entirely closed in he suffered us to look at him. I know not the philosophical reason why the first rays of reviving splendor should be so much more dazzling than the last beams of expiring glory, but such was the *fact*. From the commencement of the eclipse to the time of the total obscurity the thermometer fell eleven degrees, and by the time the moon fully disappeared it had risen again about as much, being all the time in the shade.[1]

[1] See Adams, *Memoirs*, June 16, 1806.

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I have seen in the newspaper account of the death of Mr. George Wythe, a Judge of the Court of Chancery in Virginia, and a man much distinguished during an important period of the American Revolution. He was at one time an intimate friend of my father, who once address'd to him a letter on the subject of government which has often been published. Of late years he, like so many other persons of the revolutionary times, had forgotten ancient friendships and had fallen into another political scale; yet he had not lost his place in my father's regard, and I am sure he has been much affected at the incident, particularly, as by a paragraph in the *Richmond Enquirer*, it appears there were suspicions that Mr. Wythe's death was not in the ordinary course of nature. On whom the suspicions have fallen the papers do not say, but probably as it is in your neighborhood, and as he was a man of so distinguished a character, you may have heard. If you have, let me know how the circumstances are told.[1]

. . . . . .

TO THE CORPORATION OF HARVARD UNIVERSITY

CAMBRIDGE, 26 June, 1806.

GENTLEMEN:

By the sixth article of the rules and regulations for the Boylston professorship of rhetoric and oratory, it is directed that the professor shall read a *course* of public lectures at least once a week to the resident graduates and *two senior* classes of undergraduates on the subject of his profession. The general object of which is, that it shall contain a system of rhetoric conformable to the models of the ancients.

To comply with the main purpose of this article I was pre-

[1] The nephew was tried on a charge of poisoning his uncle, but was acquitted.

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pared to deliver the first lecture of this course, and the day was fixed for it (this day), when an idea occurred to me which has induced me to postpone it, until I can request of you and of the Overseers, if you deem an act of that body necessary — that the class now Sophomores, but to commence Juniors at the next commencement, may be permitted to attend my course of lectures from the beginning. My reason for this is, that as this class will of right attend the course after commencement, it will probably be of material use to them (so far as the whole course may be of use,) to hear the first five or six lectures. Otherwise they will be required to attend the lectures during the two years they will remain at college, and yet after all have only a fragment of the whole, not having been permitted to attend the first five or six.

I have also to remark that the minuteness of detail into which this same article enters to prescribe the particulars of this course appears to me altogether unnecessary, and if to be adhered to according to the letter, would impose upon me shackles to which I am not inclined to submit. The divisions and subdivisions of the science and the proper means for pursuing its study might, I suppose, in general be left to the judgment of the professor. Indeed I always so understood that it was intended by the Corporation and Overseers. If I have been mistaken, I must request the article may be modified, that the general object of the course remaining the same, both the form and the substance of the lectures may be left to the professor's discretion. I am, &c.

P. S. I must request a decision as soon as can be convenient upon the subject of this letter, as I shall immediately after receiving it commence the course.

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TO LOUISA CATHERINE ADAMS

QUINCY, 29 June, 1806.

. . . . . .

I have spent the week at Cambridge in a state of great tranquillity and without the occurrence of any incident worth mentioning to you, except the commencement of my new duties. I found it irksome enough, and myself very awkward in the business; yet I believe it a situation in which I can be of much more service to my country than in that where your fond partiality supposes me to be of some use. I have at present, however, no intention to resign. The term of my public service will soon be at an end, and in the present condition of politics in this state, as well as almost all the rest, there is no danger that when my time expires I shall have the opportunity to continue in public life. It is, therefore, proper to seek by any anticipation the motives of comfort against the mortification of being displaced, a sort of censure the commonness of which, as well as the respectability of character of those who have suffered it, has purified from all disgrace, but which when it comes I suppose every one must in some measure feel. We are verging to a state of things not very consistent with the principles of republican government, but through which all republics must pass; a state of things, in which merit of any kind whatsoever will be no consideration at all, or at best but a very subordinate consideration, and when the only essential qualification for office will be party. We have, indeed, advanced very far in this course, and are taking strides towards its utmost bounds every day. The legislature of this state, since the change in their political character, have displaced without exception every man in office whom they could remove, and who was

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suspected of federalism. This is the first instance in which anything of that kind has been done in this state, though it is only an imitation of what has been done by the government of the United States, and by all the other states which have undergone the same change. When the tide shall turn again, which sooner or later it certainly will, this example will inevitably be followed, not improbably with some additional aggravations; because in addition to the same motive for getting the places which has occasioned the revolution in the first instance, there will be much individual resentment to gratify, and much rancor of revenge to indulge. . . .

My present situation continues as agreeable as when I wrote you last. Mrs. Waterhouse is an agreeable and pleasant tempered woman, and the Doctor a man of learning, ingenuity and wit. The time during which I associate with the family is, therefore, rendered agreeable to me, and that which I employ in my chamber is quiet and uninterrupted, leaving me the means of that close application which I find indispensably necessary and without which I should eventually disgrace this new institution. On this subject I feel a concern and solicitude which you who know my natural disposition will readily conceive, and which is much increased by the high expectations which I continually hear are formed from my appointment. I know how apt high expectations are to be disappointed, and foresee the probability of adding to the number of such examples; hence the present is a moment of anxiety as well as of labor, and I need all the tranquillity I can obtain to keep a due possession of myself.

. . . . . .

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QUINCY, 13 July, 1806.

. . . . . .

I have seen in the newspapers some account of the new disputes between the two Randolphs,[1] and some of them have gone so far as to appoint the day upon which they were to meet, which they fixed on the 28th of last month. But I have seen a *Richmond Enquirer* of 4 July in which the war seems still carried on upon paper, in which I suppose it will end. As far as I have seen there is no real cause alleged for which they could reasonably quarrel, and if either of them should kill the other, he would be very much puzzled to give himself or to any other person the why. But the real reason is concealed. The real reason is the antagonism of ambition and the rankling at heart of political opposition. I hope they will take care to shoot none but the paper bullets of the brain.

The newspapers have pretended that William Smith [2] (my sister's son) was one of the persons taken in Miranda's schooner. But this was a misrepresentation or mistake. They have had letters from William dated 12 June, after the capture of the schooner, when he was yet safe. But would you believe that the Marquis Yrujo wrote a letter to General Dayton with intimations that William Smith was one of the prisoners; that they would all be put to death unless by some powerful intercession some single individuals of them might be spared, and that He would intercede for William *on condition* that Colonel Smith would discover to him everything that he knew of Miranda's plans, and *the names of the Spaniards* with him, and in short everything that could be confessed by a criminal under sentence of death

[1] John Randolph of Roanoke and Thomas Mann Randolph, son-in-law of Jefferson.

[2] William Steuben Smith, son of William Stephens and Abigail (Adams) Smith.

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to save himself.[1] The Colonel returned a very spirited, indignant and proper answer. I wish William was at home. I wish neither he nor his father had ever had any concern with this knight-errant expedition. But I had rather tremble, nay, I had rather weep, for my friends than *blush* for them. Yrujo knows little of Colonel Smith or of any person who feels an interest of blood or of affection in his sons, if he thought they would save his life upon such a proposition. It gives a despicable opinion of his own heart that he could make it or expect any advantage from it. The Colonel's trial is fixed for tomorrow, and unhappily Judge Paterson will not be there. What the government means to do for him or Ogden [2] time will show.[3] As far as relates to Colonel Smith the President I should think has already done enough. He has ruined him as completely as his heart could wish. More is unnecessary. . . .

TO NOAH WEBSTER

QUINCY, 5 November, 1806.

SIR:

I received some time since through the hands of Judge Dawes your favor of 12 August, together with a copy of your Dictionary, and a newspaper containing the strictures of a critic at Albany, and your reply to them.[4] My thanks for your obliging present ought ere this to have been returned to you, and would have been but for a pressure of occupation

[1] The letters of Yrujo and Smith are in *The Repertory*, July 22, 1806; that of Dayton, July 25.

[2] Samuel G. Ogden.

[3] Smith and Ogden were acquitted. Robertson, *Miranda*, 374.

[4] The criticism and the reply are printed in the *Connecticut Herald*, August 12, 1806.

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at this time, and from a desire with full deliberation to give you my candid opinion respecting your project for a larger Dictionary.

There are three objections made against your plan by the critic of Albany, relating first, to your peculiarities of spelling; secondly, to your principles of pronunciation, and thirdly, to the introduction into your Dictionary of local vulgarisms.

With regard to the two first I have always considered them as under the absolute dominion of *fashion*. And as we are in the habit of receiving all our fashions from England, this has been regularly imported with the rest. I have never thought it a subject worth contending about. It is true we *can* manufacture words, as we can manufacture broad-cloths, for ourselves. And we can insist upon spelling or pronouncing them as they *ought* to be, or as our great grandfathers spelt or pronounced them, as we can dress in the costume of the seventeenth century, or cut our clothes upon a philosophical principle of convenience, if we please. Every individual must in this respect act for himself. A patriotic spirit will from a sense of duty encourage a domestic manufacture, but to prescribe their use by law, and to prohibit the introduction of them from Great Britain, is at least of more questionable policy, and perhaps not quite so practicable.

Alterations of spelling or pronunciation upon the authority of a single writer have an inevitable tendency to introduce confusion into a language. Voltaire undertook to introduce a new system of spelling into the French language. Yet his authority has not even to this day generally prevailed, and the greater part of the French nation spell as their fathers did. Many writers however have followed his example, and a numerous class of words are consequently spelt two different ways. I am apprehensive that your example and authority

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may produce a similar inconvenience to the writers and speakers of English. That is, if you adhere to the intention of setting up a standard of spelling or pronunciation different from that which is admitted in England.

The sentiments indeed which you express to me in your letter of the inconveniences and impracticability of attempting to impose dogmas upon others in respect to pronunciation are so perfectly congenial to my own, that I could not but regret to find that our inference from these principles was not exactly the same. My own conclusion is to take the standard as I find it, and shun all controversy upon the subject. Yours, I observe, is to take *nearly* the standard of Entick, and to reject all subsequent changes as *innovations* of the English stage and court. That *innovation* in many of the cases where you differ from them is chargeable upon them, and not upon you, I readily believe; but the question seems to be, not who was the innovator, but whether a different and a hostile standard shall be resorted to. Now if I deemed a new standard necessary, I know not where I could find one which I should prefer to yours. But I am not entirely convinced that any new one is desirable.

Your remark that the English lexicographers are not agreed among themselves, is undoubtedly a strong argument to dissuade us from absolute and unqualified submission to any *one* of them.[1] Nor is the authority of any of them considered as irrefragable. Each of them has his influence, and his peculiarities are adopted or rejected according to the weight of his reasons or the fluctuations of public taste. Standing on the same ground with them as a philologist, your

[1] "August 11, 1807. Mr. Monroe, the printer, of the partners Oliver and Monroe, came to me to write him proposals for publishing an edition of Johnson's large Dictionary, and requested me to superintend the publication; the last of which I declined." Ms. *Diary*.

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opinions will doubtless have their deserved weight; but I do not think it your wish, nor should I deem it proper, to engage national *prejudices* or *passions* in the cause. I would neither adopt nor reject a mode of spelling or of pronunciation, either from deference or from resistance to the English Court or stage. I would not agree with them to prove my condescension, nor differ from them to mark my independence.

With respect to the introduction into your Dictionary of new words your reasoning, both in the preface and in your reply to the critic at Albany, is forcible, and to a certain degree conclusive. Where we have invented new words, or adopted new senses to old words, it appears but reasonable that our dictionaries should contain them. Yet there are always a multitude of words current within particular neighborhoods, or during short periods of time, which ought never to be admitted into the legitimate vocabulary of a language. A very good proportion of the words of American origin are of this description, and I confess that I should prefer to see them systematically excluded, rather than hunted up for admission into a dictionary of classical English. In your undertaking to compile a large Dictionary to supersede those which come to us from England, it must doubtless be necessary to proceed upon some general principle. Yet I presume you will not think it necessary to insert a great number of words which are in very common use. Between vulgarism and propriety of speech some line must be drawn, and where that shall precisely be may perhaps be a question of some difficulty. Your liberality of admission in the compendious Dictionary extends so far, that I should prefer to find in the larger work a restriction rather than an enlargement of it.

I have not had an opportunity of exchanging sentiments with President Webber or Professor Ware with respect to your undertaking, and know not how far they would deem it

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advisable to pledge our University to support your system of spelling, pronunciation, or of departure from the *English* language. Though not entirely coinciding with you in opinion upon these subjects, I hope you will be persuaded of the sincerity with which I appreciate your genius and learning, and of my respect for the depth and extent of your researches upon this and other subjects of high moment to our country. I have thought a free and explicit avowal of my own impressions would be most satisfactory to you, in answer to the confidence with which you had favored me, although the principles which I have accustomed myself to apply in these cases have led me to deductions, differing in some respects from yours. I am, &c.[1]

[1] "Eaton's story about the offers made him by Burr has now been served up in all the newspapers. Burr's story we have not yet heard. Eaton himself would have been wiser had he been more silent. The amount of his narrative is, that he advised the President to send Burr upon an important embassy, BECAUSE !!! he had discovered the said Burr to be a *Traitor to his country*.

"I send you some documents to read, or to dispose of as you please. *Wilkinson's* letter is a curiosity, as perfectly characteristic. Tis Don Adriano de Armado the second." *To Louisa Catherine Adams*, December 8, 1806. Ms.

"We have hitherto had no business to occasion debate; but the House of Representatives have again passed a bill for a bridge over the Potomac, which is now before the Senate, and has already been two or three times postponed. The parties on both sides are warmer than they have ever been before, and I expect we shall have a very animated discussion of the question. The time now fixed for it is next Monday. The General Assembly of Maryland have passed a resolution instructing their Senators to use their influence against it; and Mr. Giles, who is here, takes a very strong interest against it; but Mr. Bayard and Mr. White are quite as zealous in its favor; and as far as I can judge the opinion of the Senate is very equally divided. The probability seems to me that the bill will pass." *To Louisa Catherine Adams*, January 14, 1807. Ms.

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TO JOHN ADAMS

WASHINGTON, January 27, 1807.

. . . . . .

Mr. Burr and his conspiracy have begun to occupy our attention. Last Friday (23d) the Senate with closed doors passed an act suspending in certain cases the privilege of the writ of *habeas corpus*. The business was finished in one day, with a slight opposition from Mr. Bayard, who voted alone against the bill, but did not use his privilege of forbidding the reading of the bill three times on the same day.[1] The House of Representatives adjourned over until Monday before we had finished. Yesterday morning the message and the bill were sent to them in confidence.[2] They immediately opened their doors, and almost unanimously rejected the bill at the first reading. I have enclosed to you the papers from the President upon which the Senate acted. Bollman and Swartwout[3] who were arrested by General Wilkinson are now here, and it seems questionable what can be done with them. The general subject is yet mysterious, but there is a concurrence of testimony establishing facts more important, as they respect *the operation of our Institutions*, and future prospects of this country than most of us appear to be aware of.

These two subjects and the projects for prohibiting the importation of slaves into the United States after 1 January next exclusively engross our attention. We have in the two

[1] The committee, appointed on the same day for preparing the bill were William B. Giles, John Quincy Adams and Samuel Smith.

[2] Printed in *Annals of Congress*, 9th Cong., 2 Sess., 39.

[3] Erick Bollman and Samuel Swartwout. The President's messages upon Burr's conspiracy were referred to William B. Giles, James A. Bayard and John Quincy Adams. *Ib.*, 45.

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houses had *seven* different printed bills for this purpose; and at length we have passed a bill in Senate which has this day gone to the House of Representatives.

30 January.

The part I have taken in the business of the last three days, and the important transactions now going on in the Circuit Court here, have prevented me from finishing this letter. I inclose you a newspaper in which you will find the proceedings hitherto on the singular cases of Bollman and Swartwout, which are still under argument, by the District Attorney [1] and present Attorney General,[2] on a motion for their commitment on a charge of *treason*, and by the late Attorney General, Mr. Charles Lee, and a young Mr. Key,[3] for the prisoners. They are now before the Court, and excite such universal curiosity that we are scarcely able here to form a quorum to do business and the House of Representatives actually adjourned this morning for want of a quorum.

We were almost without public business during the first six weeks of the session, and I employed the leisure time principally to prepare for my labors of the ensuing spring. I have also continued my application to the Greek, and have read through the Odyssey in the original. I selected this because I have it in a single small volume with a Latin version at the side, but without a commentary. There is no great plenty of Greek books here. I found so long as the mind was unagitated by other subjects of meditation, and the feelings in a state of tranquillity, I could read and *understand* Homer much better than I can since the public business has taken hold of me. I now read without understanding much.

[1] ——— Jones.

[2] John Breckenridger (1760–1806).

[3] Francis Scott Key (1780–1843).

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I have been taken off from the possibility of finishing my letter by a debate which I have been obliged to support for the whole of this day, on a bill of little importance, but which I happened to report. Upon such bills I have never had the good fortune to escape hard pushing and struggling; but we passed half a dozen other bills without raising half an hour's discussion.

It is now almost four. The Circuit Court have committed Bollman and Swartwout without bail or mainprize — Judge Cranch dissenting. Ever faithfully your son.[1]

[1] "January 30. Mr. Adams made the following motion, which was read:

"*Resolved*, that the following rule be added to the rules for conducting business in the Senate.

"The final question upon the second reading of every bill, resolution, Constitutional amendment, or motion, originating in the Senate, and requiring three readings previous to its being passed, shall be, whether it shall be engrossed and read a third time? And no amendment shall be received for discussion at the third reading of any bill, resolution, amendment, or motion, unless by unanimous consent of the members present." The motion was amended and after debate was adopted March 3, Adams voting in the negative. *Annals of Congress*, 9th Cong., 2nd Sess., 49, 53, 104.

"The Potomac bridge question is at last postponed until the next session of Congress, after seven days of as warm and close debate as I ever witnessed in the Senate. The postponement was carried by a single vote, seventeen to sixteen, and in all probability had the question on the bill itself been taken, it would have prevailed. . . .

"The bridge is for the present dismissed; but king Burr furnishes a topic of no less interest and agitation in its stead. Two of his agents, Bollman and Swartwout, who were employed to seduce General Wilkinson and the army, and whom the General seized and sent here, have been committed upon a charge of high treason, but I suppose they must be sent back to New Orleans for trial. At least they cannot, as I believe, be tried here." To *Louisa Catherine Adams*, February 1, 1807. Ms.

"Your father was for a considerable time much concerned about the bill which passed so rapidly through the Senate, and still cannot account for the vote of a *certain friend* of mine. It never caused me the slightest anxiety as I know your opinions to be generally formed upon mature reflection and deliberation, and almost always correct. He has taxed me once or twice upon two of your former votes, as if he suspected my having been concerned in the subject, which makes me smile. No woman certainly ever interfered less in affairs of this kind than I have, and if I ever possessed any influence, I certainly have never exerted it. However, these two votes

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CHESAPEAKE–LEOPARD AFFAIR [1]

July 16, 1807.

Whereas, by the communication from Norfolk, Portsmouth, and their vicinities, and the Proclamation of the President of the United States, it appears the sovereignty of our country has been insulted, and the lives of our citizens sacrificed, by the unjustifiable conduct of a British armed ship.

1. *Resolved*, That we consider the unprovoked attack made on the United States armed ship the *Chesapeake*, by the British ship of war the *Leopard*, a wanton outrage upon the lives of our fellow citizens, a direct violation of our national honor, and an infringement of our national rights and sovereignty.

2. *Resolved*, That we most sincerely approve the Proclamation,[2] and the firm and dispassionate course of policy pursued by the President of the United States; and we will cordially unite with

he says, he never can forgive, and I suspect he has since included the last among the number." *Louisa Catherine Adams to John Quincy Adams*, February 15, 1807.

On February 24, Adams appears to have made a speech on the Chesapeake and Delaware Canal Bill; but its argument is known only through the reply made by Samuel White of Delaware. *Annals of Congress*, 9th Cong., 2nd Sess., 80.

[1] Intelligence of the attack upon the *Chesapeake* by the British ship the *Leopard* reached Boston June 30. The federalists saw no reason for calling a town meeting, but their opponents issued a notice of a public meeting to be held at the New State House on July 10. The resolutions, pledging support to the measures of Administration, were framed by a committee, of which Barnabas Bidwell was chairman. Next to his name came that of John Quincy Adams, the only federalist of reputation present at the meeting. The federalists recognizing their error, joined in a town meeting, held in Faneuil Hall, on July 16; the occasion being the letter from the citizens of Norfolk, describing the situation in Virginia. A committee was named to prepare the resolutions, and John Quincy Adams was chairman. With him were associated Harrison Gray Otis, William Eustis, Christopher Gore (who was not present and did not participate in the meeting), Dr. Charles Jarvis, John C. Jones, Thomas H. Perkins, and Dr. John Warren. The resolutions, drafted by Adams, and unanimously adopted by the meeting, received the approval of all citizens, irrespective of party. Adams, *Memoirs*, July 10, 16, 1807. *New England Federalism*, 184.

[2] Dated July 2, 1807.

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our fellow citizens in affording effectual support to such measures, as our Government may further adopt in the present crisis of our affairs.

3. *Resolved*, That we remember with pride and pleasure, the patriotic and spirited conduct of the citizens of Norfolk, Portsmouth, and their vicinities, before the orders of Government were known, upon this momentous occasion; and they are entitled to the thanks and approbation of their fellow citizens throughout the Union.

4. *Resolved*, That the Selectmen be requested to return a suitable answer to the respectful communication from our fellow citizens at Norfolk, with the proceedings of this meeting.

MOTIONS [1]

October 28, 1807.

That so much of the President's Message as relates to the recent outrages committed by British armed vessels within the jurisdiction, and in the waters of the United States, and to the Legislative provisions which may be expedient as resulting from them, be referred to a select committee, with leave to report by bill or otherwise.[2]

That so much of the said Message as relates to the formation of the seamen of the United States into a special militia for the purpose of occasional defence of the harbors against sudden attacks, be referred to a select committee, with leave to report by bill or otherwise.

[1] *Annals of Congress*, 10th Cong., 1st Sess., I. 19.

[2] On October 30 a committee was appointed composed of John Quincy Adams, Samuel Smith, John Milledge, Samuel Latham Mitchill, and Joseph Anderson. The committee reported a bill, November 24. *Ib.*, 34.

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MOTION ON IMPRESSMENTS

November 25, 1807.

Resolved, That the President of the United States be requested to cause to be laid before the Senate a return of the number of American seamen impressed or detained by British armed vessels, whose names have been reported to the Department of State since the last statement made to Congress; mentioning the names of the persons impressed, the time and place of their impressment, the names of the ships, and, as far as may be known, of the officers by whom they were impressed, together with any material facts or circumstances in relation to the same; stating, also, the whole number of seamen impressed since the commencement of the present war, what number of the persons impressed, according to the last statement of the Secretary of State, has since been restored, and the numbers still detained by the British, since demand of their restoration made; with the reasons assigned for their detention.[1]

TO JOHN ADAMS

WASHINGTON, 30 November, 1807.

MY DEAR SIR:

I received a few days since your very kind letter which I am ashamed of answering by a few lines, but by some accident I have fallen from a state of almost total idleness into an overwhelming flood of business, which leaves me scarcely a quarter of an hour of the day or of the night. I sent you last week a copy of a *volume* in the form of a bill which I reported upon the aggression business, and which is now under debate. The mere scribe-work of its compilation (for not much of it is my own), and the attendance upon a large committee where it was discussed before it came into the Senate,

[1] *Annals of Congress*, 10th Cong., 1st Sess., I. 38.

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have already employed me with sufficient industry. But on Friday last Mr. John Smith of Ohio made his appearance here and was going to take his seat. A resolution for a committee of inquiry whether he ought not to be expelled was immediately offered, which after some debate was substantially adopted. A committee of seven was raised, of which I have the misfortune to be chairman.[1] I did not introduce any one of the proposed resolutions and, as you will see by the printed debates, took very little part in the discussion. It was a subject which of all others I was desirous of avoiding, but in vain. The principles and facts involved in this inquiry are of a compass and magnitude at which I hardly dare to look, and the solicitude to discharge my duty oppresses me beyond measure.

I remain of my first opinion on my arrival here. The President's policy is *procrastination*, and if Great Britain does not wage *complete* war upon us, we shall end with doing nothing this session. . . .

TO JOSEPH HALL[2]

WASHINGTON, December 11, 1807.

. . . . . .

The ground taken by our government on the subject of the attack upon the *Chesapeake* has been sanctioned even by the British ministry, who in the most unqualified manner have disavowed the orders of Admiral Berkeley, have disclaimed in the most pointed terms every pretension to search a national ship for deserters; and have declared themselves willing to make proper reparation for the aggression. You know that I was as averse to the encouragement or enlist-

[1] Adams, *Memoirs*, November 27, 1807.

[2] From the *Columbian Centinel*, December 19, 1807.

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ment of deserters, as the warmest friend to the British navy could possibly be; and that I thought our government ought to *keep this identical outrage entirely separate from every other topic of controversy*. This opinion I still retain; and if the extraordinary mission from England should be accomplished on principles avowed by Mr. Canning, I have no doubt *that war between the two nations may yet be avoided*. To this end I would contribute every possible aid to soften points of controversy which can be left open, to retreat from extremities which can be shunned, and to preserve *peace* where I can have no hope left that the parties can ever meet upon terms of amity.

With respect to the non-importation act, I wish you to understand that it is no *favorite* of mine. I have to some urged its immediate repeal; not with a view to any effect which it can produce upon Great Britain; but with reference to its probable effect among ourselves. It had my approbation two years ago, because the merchants throughout the Union called upon Congress for some measure to aid negotiation with England; and because the administration, and a great portion of our people, had a confidence in its efficacy, which could only *be tested by experience*. The experiment has been made. Whatever good effect it could produce it seems to me is past. It is too much, or too little, for the present state of things; and its effects will distress our own people, without producing the purpose for which it was intended beyond the Atlantic. I believe the administration, for their own sakes, ought to give it up. But so long as the executive, the responsible department, believes that this measure will help and not hinder them in negotiation, I think its repeal ought not to be pressed by its opponents in Congress. Your petition, as I presume it will be, if couched in respectful terms, without tincture of party spirit, I have

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no doubt will be treated with due consideration; and may perhaps be acceptable to the government, as furnishing an apology for abandoning what I believe they do not rely upon with much confidence. There is a bill now before the House to modify the act, and I suppose any modification for which you ask, may be introduced into it, if they should be thought just. . . .

TO JOHN ADAMS

WASHINGTON, 27 December, 1807.

MY DEAR SIR:

Your favor of the 14th instant came to my hands just at a moment to renew and to strengthen impressions which had been weighing heavily upon my mind for near a month. The general questions relating to the powers and processes of expulsion under our Constitution had been forced upon me by the situation in which I was placed as chairman of the committee on the present inquiry. My own inclinations would have led me to investigations of a different kind, for which indeed I was making preparations and collecting materials. This subject however came on quite unexpectedly, and still more unexpectedly was it made my duty to take the principal labor of its management upon myself. The committee have been in session almost every day, Saturday and Christmas day not excepted, since their appointment. Their report is now ready and will be presented in the course of a very few days. It is long, and has been agreed to by the committee almost to a line as drafted by myself. It will probably form a subject of animated discussion on the question of acceptance and, if printed, I shall immediately send you a copy. If its *principles* should not meet your approbation, it will be a subject of the deepest regret to me. But

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even then, I think you will find in it internal evidence that its errors, if such you should deem them, have not arisen from carelessness or inattention. That they should have proceeded from any less excusable origin I am sure you will not suspect.

I perceive, by the newspapers and by letters from more than one of my friends, that the bill which has here commonly been termed the aggression bill, and which was also reported by me as chairman of the committee, has excited surmises and occasioned imputations among my federal friends not very auspicious to their good opinion of me. I think that when I inclosed you a copy of the bill I informed you that scarcely any of its provisions were mine, although I gave the bill as it passed the Senate my vote and my support. I know not anything that has given me so much pleasure as to have learnt by a letter from Dr. Waterhouse that you approved its *principles*. I have, however, inferred from your silence respecting it and from some other circumstances, that you supposed it a measure too high-toned for our situation and perhaps hazardous to our peace. That may possibly be. It passed by a vote almost unanimous in Senate, but has not finally been acted upon in the House of Representatives. It may, therefore, be considered as indicative of the tone of sentiment in the Senate particularly with regard to the affair of the *Chesapeake*, and to the support of our own authority within our own jurisdiction. That I have contributed to the best of my abilities, and as far as my very slender influence in that body extended, to pledge them by this bill to the assertion and support of its principles, I can never deny. But I had evidence too clearly irrefragable of the temper prevailing through both branches of Congress to fear, that any measure which might unnecessarily endanger the peace of the nation would be over hastily adopted.

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Our prospects have indeed been growing more gloomy from day to day. And we have now, at the express call of the President, an unlimited embargo. To this measure, also, as merely precautionary and defensive, I gave my assent and vote. It was in Senate carried through in one day, but was contested with much more violence in the other House.[1] Under the decrees of France and Great Britain dooming to capture and confiscation all our ships and cargoes trading with either of those powers, we had no other alternative left but this, or taking our side at once in the war. I do not believe indeed that the embargo can long be continued; but if we let our ships go out without arming them and authorizing them to resist the decrees, they must go merely to swell the plunder of the contending parties.[2]

[1] On December 18 a message from the President was read in the Senate calling attention to the increasing dangers to American vessels, seamen and merchandise, threatened on the high seas and elsewhere, by the belligerent powers of Europe. A committee was at once appointed, composed of Samuel Smith, John Quincy Adams, Joseph Anderson, Stephen R. Bradley, and Andrew Gregg; which reported on the same day an embargo on all ships and vessels in the ports and harbors of the United States. The bill was, by a suspension of the rules, given a second reading on that day, and was then passed by a vote of twenty-two to six, Adams voting in the affirmative. *Annals of Congress*, 10th Cong., 1st Sess., I. 50. See Henry Adams, *History*, IV. 153; *American State Papers*, Foreign Relations, III. 25.

[2] "When the committee had assembled, we had some doubts of the propriety of the measure [embargo]. Mr. Adams, in particular, was with difficulty, brought to consent to it. General [Samuel] Smith stated the reasons which influenced the Executive, and when the committee at last agreed unanimously to recommend the measure to the Senate, it was fully understood by them that the bill should pass as soon as possible: and I think Gen. Smith was instructed, that if any objections were made, he should move that the rule of the Senate which required that the three readings of Bills should be on three different days, be suspended, which he afterward did.

"The reasons which influenced the committee to recommend that course were, that, if the bill laying an embargo were to be eight or ten days in passing the two Houses, a number of merchants would in the meantime send out their vessels loaded with provisions, for ten or twelve months, and defeat the object of the embargo.

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The British proclamation,[1] expressly commanding impressment from our merchant vessels and assuming in fact a right of *annulling* our laws of naturalization, has given again a new and darker complexion to our old controversies on that subject. We ought not I think to suffer this new encroachment, and yet I know not how we can take a stand against it without coming to immediate war. Mr. Canning in his correspondence with Mr. Monroe has insisted very strenuously upon keeping the case of the *Chesapeake* distinct from all other subjects of negotiation between us; and yet the proclamation itself improperly connects them, by taking occasion with the disclaimer of the right of search in national ships to place upon new ground and under the formal tenor of a *proclamation* the pretension to impress from merchant vessels.

There are some important lights in which this question of impressment has not yet been presented to the people of this country. You have seen the resolution which I offered in Senate some weeks since, to request from the President information as to the impressments within the two last years. The returns have not yet been made.[2]

If it would not be too troublesome to you I would intreat

And as they would make great profits, those that might be taken by the embargo would feel themselves much injured, and become hostile to the government. It is injurious that Mr. Pickering should attach so much wrong to Mr. Adams, as I am confident that some other members of the committee pressed the passing of the act, in the manner related, in as strong terms as Mr. Adams. He might as well have censured the whole Senate, except Mr. Pickering, Mr. Crawford and four or five others who opposed the bill: . . . I further well recollect, that as we passed from the committee room to the Senate, Mr. Adams observed to me: 'This measure will cost you and me our seats, but private interest must not be put in opposition to public good.'" *Letter of Stephen Row Bradley*, September 21, 1824.

[1] October 16, 1807. *American State Papers*, Foreign Relations, III. 25.

[2] Resolution of the Senate, November 30, 1807. The return was made March 2, 1808, and is in *American State Papers*, Foreign Relations, III. 36.

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you to send me an account, as minute and particular as your recollection will admit, of the case of the man whom you defended for killing Lieutenant Panton.[1] If you have any minutes of the trial, or any means of reference to your argument, the authorities you adduced, and the opinion of the court, they might be of service to me.[2] I think I have heard you say that in that case it was admitted by that decision, that the practice of impressment was even then held to be inadmissible in the colonies.

I would also thank you for your opinion on the following points. Is not the impressment of a native born American citizen from an American vessel in point of principle precisely the same thing, as if a British recruiting officer from Canada should come within our lines and forcibly take away a man to make him a British soldier? And is not this forcible levying of recruits by the officer of one nation within the jurisdiction of another the offence against the laws of nations known by the name of *plagiat* or *man-stealing?* And is not that offence by the universal usage of civilized nations punished with death?

Is there any law or usage of nations which forbids an American merchant or master of a vessel from engaging by *contract* a foreign seaman to serve him as a sailor upon a lawful voyage?

Is not every seaman thus engaged by signing a shipping paper according to law? And is not the *personal service* of a seaman thus engaged a *debt?*

I put the case of deserting from ships of war, or any other vessel, out of the question; but setting that aside, if the personal service of a British seaman has become by contract a *debt* to an American merchant, and if a British officer is

[1] Michael Corbet, who killed Henry Gibson Panton, of the *Rose* frigate.

[2] The notes are printed in *Mass. Hist. Soc. Proceedings*, XLIV. 429.

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warranted and *ordered* by his government forcibly to take the seaman away from the service to which he is bound, is it not *in principle* an undertaking by the British government to cancel a *debt* due by the individual of one nation to the individual of the other, and as such in substance a direct violation of the tenth article of Mr. Jay's treaty?

Perhaps these last questions may at first blush carry an appearance of refinement in their train of reasoning more than they really deserve. I will thank you to weigh deliberately the nature of the *contract* between seamen and their owners, and the moral reason professedly assigned in the tenth article of the treaty for placing contracts between individuals even beyond the reach of war, and say whether the forcible dissolution of contract, which must be involved in every case of impressment, does not violate the substance if not the form of that article? [1]

These are not the only subjects of public concern upon which I feel the want of your judgment and advice. My situation here at this moment is singular and critical. My views of present policy, and my sense of the course enjoined upon me by public duty, are so different from those of the federalists that I find myself in constant opposition to them. Yet I have no communication with the administration but that which my place in the Senate of course implies.[2] The friends of the Executive in Senate repose little confidence

[1] The reply of John Adams is printed in *Mass. Hist. Soc. Proceedings*, XLIV. 422.

[2] "You say, *you are not in the confidence of the Executive.* I yield implicit faith to the declaration, because you announce it, and because I know you are incapable of being the creature of any administration, or the advocate for any other measures, but those which your judgment approves. But were I to give credence to the declarations of zealous federalists in Massachusetts, as well as in this State, I should consider your conduct in direct opposition to what I now do, and ever have, since I have had the pleasure of knowing you." *William Plumer to John Quincy Adams*, February 12, 1808. Ms.

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in me, and discover occasionally unequivocal marks of their distrust and suspicion. Even when concurring in my opinions, some of them betray an involuntary anxiety lest their popularity should be affected by having their names go out as supporters of measures linked with mine. This temper does, indeed, appear in some small degree to be wearing off, but any trifle light as air would restore it in all its vigor. Yet since the commencement of the present session I have been placed upon every committee of national importance, and made the reporter of several. Without having the weight of a single vote besides my own in point of personal influence, I find myself charged with the duty of originating and conducting measures of the highest interest. I am made a leader without followers. Until the present session I have always had two friends (Tracy and Plumer) with whom I could consult in the most intimate and confidential manner and on whose friendship I could always rely, almost always upon their concurrence. But death has removed one of them,[1] and changes of political party the other. I am compelled, therefore, to lean upon my own judgment more than it will always bear. My only consolation is in the consciousness of good intentions and unwearied attention to my duty. Man can give no more, the rest must be left to a higher power.[2]

Mr. Monroe is here and has been received with great demonstrations of respect and affection by his own state. There is said to be some electioneering on foot, of which he is one of the objects. Electioneering, indeed, is reported to

[1] Uriah Tracy died at Washington, D. C., July 19, 1807.

[2] "Dana and Goodrich, of Connecticut, are the only men who agree with me concerning the course of John Quincy Adams. His deviation from his friends is perfectly reconcilable with the peculiar texture of his mind, without resorting to any suspicion of his political integrity. I neither join in, nor sanction, any asperities about him." *Josiah Quincy to his wife, Life*, 124.

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be very active, but I know nothing of its course of proceedings.[1]

. . . . . .

P. S. I hear there is a private correspondence now passing between General Wilkinson and J. Randolph, which is expected to terminate in a meeting of honor.[2]

REPORT ON SENATOR JOHN SMITH[3]

The committee appointed to inquire whether it be compatible with the honor and privileges of the house that John Smith a Senator from the State of Ohio against whom bills of indictment were found at the Circuit Court of Virginia held at Richmond in August last for treason and misdemeanor should be permitted any longer to have a seat therein and to inquire into all the facts regarding the conduct of Mr. Smith as an alleged associate of Aaron Burr and report the same to the Senate submit the following report:

Your committee are of opinion, that the conspiracy of Aaron Burr and his associates against the peace, union, and liberties of these states, is of such a character, and that its existence is established by such a mass of concurring and mutually corroborative testimony, that it is incompatible not only with the honor and privileges of this House, but with the deepest interests of this nation, that any person engaged in it should be permitted to hold a seat in the Senate of the United States.

Whether the facts, of which the committee submit herewith such evidence as, under the order of the Senate, they have been able to collect, are sufficient to substantiate the participation of

[1] Monroe had taken leave of the King October 7, and reached Washington, December 22, to oppose the choice of Madison for the succession to Jefferson.

[2] Adams, *Memoirs*, December, 28, 31, 1807.

[3] Also printed in *Annals of Congress*, 10th Cong., 1st Sess., I. 56. The debate upon the report, with remarks by Adams, is in the same volume, 66, *passim*, his final speech being made April 8.

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Mr. Smith in that conspiracy, or not, will remain for the Senate to decide.

The committee submit also to the consideration of the Senate, the correspondence between Mr. Smith and them, through their chairman, in the course of their meetings. The committee have never conceived themselves invested with authority to try Mr. Smith. Their charge was to report an opinion relating to the honor and privileges of the Senate, and the facts relating to the conduct of Mr. Smith. Their opinion, indeed, cannot be expressed in relation to the privilege of the Senate, without relating, at the same time, to Mr. Smith's right of holding a seat in this body; but, in that respect, the authority of the committee extends only to proposal, and not to decision. But as he manifested a great solicitude to be heard before them, they obtained permission from the Senate to admit his attendance, communicated to him the evidence in their possession, by which he was inculpated, furnished him, in writing, with the questions arising from it, which appeared to them material, and received from him the information and explanations herewith submitted as part of the facts reported. But Mr. Smith has claimed, as a right, to be heard in his defence by counsel, to have compulsory process for witnesses, and to be confronted with his accusers, as if the committee had been a circuit court of the United States. But it is before the Senate itself that your committee conceived it just and proper that Mr. Smith's defence of himself should be heard. Nor have they conceived themselves bound in this inquiry by any other rules than those of natural justice and equity, due to a brother Senator on the one part, and to their countrymen on the other.

Mr. Smith represents himself, on this inquiry, as solitary, friendless, and unskilled, contending for rights which he intimates are denied him; and the defender of senatorial privileges which he seems apprehensive will be refused him by Senators, liable, so long as they hold their offices, to have his case made their own. The committee are not unaware that, in the vicissitudes of human events, no member of this body can be sure that his conduct will

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never be made a subject of inquiry and decision before the assembly to which he belongs. They are aware that, in the course of proceeding which the Senate may now sanction, its members are marking out a precedent which may hereafter apply to themselves. They are sensible that the principles upon which they have acted ought to have the same operation upon their own claims to privilege as upon those of Mr. Smith; the same relation to the rights of their constituents, which they have to those of the legislature which he represents. They have deemed it their duty to advance in the progress of their inquiry with peculiar care and deliberation. They have dealt out to Mr. Smith that measure, which, under the supposition of similar circumstances, they would be content to find imparted to themselves; and they have no hesitation in declaring that, under such imputations, colored by such evidence, they should hold it a sacred obligation to themselves, to their fellow Senators, and to their country, to meet them by direct, unconditional acknowledgment or denial, without seeking a refuge from the broad face of day in the labyrinth of technical forms.

In examining the question whether these forms of judicial proceedings, or the rules of judicial evidence, ought to be applied to the exercise of that censorial authority which the Senate of the United States possesses over the conduct of its members, let us assume, as the test of their application, either the dictates of unfettered reason, the letter and spirit of the Constitution, or precedents, domestic or foreign, and your committee believe that the result will be the same; that the power of expelling a member must, in its nature, be discretionary, and in its exercise always more summary than the tardy process of judicial tribunals.

The power of expelling a member for misconduct results, on the principles of common sense, from the interest of the nation, that the high trust of legislation should be invested in pure hands. When the trust is elective, it is not to be presumed that the constituent body will commit the deposits to the keeping of worthless characters. But when a man, whom his fellow-citizens have honored with their confidence, on the pledge of a spotless reputa-

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tion, has degraded himself by the commission of infamous crimes, which become suddenly and unexpectedly revealed to the world, defective indeed would be that institution which should be impotent to discard from its bosom the contagion of such a member; which should have no remedy of amputation to apply until the poison had reached the heart.

The question upon the trial of a criminal cause, before the courts of common law, is not between guilt and innocence, but between guilt and the possibility of innocence. If a doubt can possibly be raised, either by the ingenuity of the party or of his counsel, or by the operation of general rules in their unforeseen application to particular cases, that doubt must be decisive for acquittal, and the verdict of not guilty, perhaps, in nine cases out of ten, means no more than that the guilt of the party has not been demonstrated in the precise, specific, and narrow forms prescribed by law. The humane spirit of the laws multiplies the barriers for the protection of innocence, and freely admits that these barriers may be abused for the shelter of guilt. It avows a strong partiality favorable to the person upon trial, and acknowledges the preference that ten guilty should escape rather than that one innocent should suffer. The interest of the public that a particular crime should be punished, is but as one to ten, compared with the interest of the party, that innocence should be spared. Acquittal only restores the party to the common rights of every other citizen; it restores him to no public trust; it invests him with no public confidence; it substitutes the sentence of mercy for the doom of justice; and to the eyes of impartial reason, in the great majority of cases, must be considered rather as a pardon than a justification.

But when a member of a legislative body lies under the imputation of aggravated offences, and the determination upon his cause can operate only to remove him from a station of extensive powers, and important trust, this disproportion between the interest of the public and the interest of the individual disappears; if any disproportion exists, it is of an opposite kind. It is not better than ten traitors should be members of this Senate than that one innocent

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man should suffer expulsion. In either case, no doubt, the evil would be great. But in the former, it would strike at the vitals of the nation; in the latter it might, though deeply to be lamented, only be the calamity of an individual.

By the letter of the Constitution, the power of expelling a member is given to each of the two Houses of Congress, without any limitation other than that which requires a concurrence of two-thirds of the votes to give it effect.

The spirit of the Constitution is, perhaps, in no respect more remarkable than in the solicitude which it has manifested to secure the purity of the legislature by that of the elements of its composition. A qualification of age is made necessary for the members to ensure the maturity of their judgment; a qualification of long citizenship, to ensure a community of interests and affections between them and their country; a qualification of residence, to provide a sympathy between every member and the portion of the Union from which he is delegated; and to guard, as far as regulation can guard, against every bias of personal interest, and every hazard of interfering duties, it has made every member of Congress ineligible to office which he contributed to create, and every officer of the Union incapable of holding a seat in Congress. Yet, in the midst of all this anxious providence of legislative virtue, it has not authorized the constituent body to recall in any case its representative. It has not subjected him to removal by impeachment; and when the darling of the people's choice has become their deadliest foe, can it enter the imagination of a reasonable man that the sanctuary of their legislation must remain polluted with his presence, until a court of common law, with its pace of snail, can ascertain whether his crime was committed on the right or on the left bank of a river; whether a puncture of difference can be found between the words of the charge and the words of the proof; whether the witnesses of his guilt should or should not be heard by his jury; and whether he was punishable, because present at an overt act, or intangible to public justice, because he only contrived and prepared it? Is it conceivable that a traitor to that country

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which has loaded him with favors, guilty to the common understanding of all mankind, should be suffered to return unquestioned to that post of honor and confidence, where, in the zenith of his good fame, he had been placed by the esteem of his countrymen, and in defiance of their wishes, in mockery of their fears, surrounded by the public indignation, but inaccessible to its bolt, pursue the purposes of treason in the heart of the national councils? Must the assembled rulers of the land listen with calmness and indifference, session after session, to the voice of notorious infamy, until the sluggard step of municipal justice can overtake his enormities? Must they tamely see the lives and fortunes of millions, the safety of present and future ages, depending upon his vote, recorded with theirs, merely because the abused benignity of general maxims may have remitted to him the forfeiture of his life?

Such, in very supposable cases, would be the unavoidable consequences of a principle which should offer the crutches of judicial tribunals as an apology for crippling the congressional power of expulsion. Far different, in the opinion of your committee, is the spirit of our Constitution. They believe that the very purpose for which this power was given was to preserve the legislature from the first approaches of infection. That it was made discretionary because it could not exist under the procrastination of general rules; that its process must be summary, because it would be rendered nugatory by delay.

Passing from the constitutional view of the subject to that which is afforded by the authority of precedent, your committee find that, since the establishment of our present National legislature, there has been but one example of expulsion from the Senate. In that case, the member implicated was called upon, in the first instance, to answer whether he was the author of a letter, the copy of which only was produced, and the writing of which was the cause of his expulsion. He was afterwards requested to declare whether he was the author of the letter itself, and declining, in both cases, to answer, the fact of his having written it was estab-

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lished by a comparison of his hand-writing, and by the belief of persons who had seen him write, upon the inspection of the letter. In all those points the committee perceive the admission of a species of evidence, which, in courts of criminal jurisdiction, would be excluded, and, in the Resolution of expulsion, the Senate declared the person inculpated *guilty of a high misdemeanor*, although no presentment or indictment had been found against him, and no prosecution at law was ever commenced upon the case.

This event occurred in July, 1797. About fifteen months before that time, upon an application from the legislature of Kentucky, requesting an investigation by the Senate of a charge against one of the members from that State, of perjury, which had been made in certain newspaper publications, but for which no prosecution had been commenced, the Senate did adopt, by a majority of sixteen votes to eight, the report of a committee, purporting that the Senate had no *jurisdiction* to try the charge, and that the memorial of the Kentucky legislature should be dismissed. There were, indeed, very sufficient reasons of a different kind assigned in the same report, for not pursuing the investigation, in that particular case, any further; and your committee believe that, in the reasoning of that report, some principles were assumed and some inferences drawn, which were altogether unnecessary for the determination of that case, which were adopted without a full consideration of all their consequences, and the inaccuracy of which was clearly proved by the departure from them in the instance which was so soon afterwards to take place. It was the first time that a question of expulsion had ever been agitated in Congress, since the adoption of the Constitution. And the subject being thus entirely new, was considered perhaps too much with reference to the particular circumstances of the moment, and not enough upon the numerous contingencies to which the general question might apply. Your committee state this opinion with some confidence, because of the sixteen Senators who, in March, 1796, voted for the report dismissing the memorial of the Kentucky legislature; eleven, on the subsequent occasion, in July, 1797, voted also for that re-

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port, which concluded with a resolution for the expulsion of Mr. Blount. The other five were no longer present in the Senate. Yet, if the principles advanced in the first report had been assumed as the ground of proceeding at the latter period, the Senate would have been as impotent of jurisdiction upon the offence of Mr. Blount as they had supposed themselves upon the allegation against Mr. Marshall.

Those parts of the fifth and sixth articles, amendatory to the Constitution, upon which the report in the case of Mr. Marshall appears to rely for taking away the jurisdiction of the Senate, your Committee suppose can only be understood as referring to prosecutions at law; to suppose that they were intended as restrictions upon powers expressly granted by the Constitution to the legislature, or either of its branches, would in a manner annihilate the power of impeachment as well as that of expulsion. It would lead to the absurd conclusion that the authority given for the purpose of removing iniquity from the seats of power, should be denied its exercise in precisely those cases which most loudly call for its energies. It would present the singular spectacle of a legislature vested with power of expelling its members, of impeaching, removing, and disqualifying public officers, for trivial transgressions beneath the cognizance of the law, yet forbidden to exert them against capital or infamous crimes.

Those two articles were in substance borrowed from similar regulations contained in that justly celebrated statute, which for so many ages has been distinguished by the name of the Great Charter of England. Yet in that country, where they are recognized as the most solid foundations of the liberties of the nation, they have never been considered as interfering with the power of expelling a member, exercised at all times by the House of Commons; a power which there, however, rests only upon parliamentary usage, and has never been bestowed, as in the Constitution of the United States, by any act of supreme legislation. From a number of precedents which have been consulted, it is found that the exercise of this authority there has always been discretionary, and its

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process always far otherwise than compendious in the prosecutions before the judicial courts. So far, indeed, have they been from supposing a conviction at law necessary to precede a vote of expulsion, that, in one instance, a resolution to demand a prosecution appears immediately after the adoption of the resolution to expel. In numerous cases the member submits to examination, adduces evidence in his favor and has evidence produced against him, with or without formal authentication; and the discretion of the House is not even restricted by the necessary concurrence of more than a bare majority of the votes.

The provision in our Constitution which forbids the expulsion of a member by an ordinary majority, and requires for this act of rigorous and painful duty the assent of two-thirds, your committee consider as a wise and sufficient guard against the possible abuse of this legislative discretion. In times of heat and violent party spirit, the rights of the minority might not always be duly respected, if a bare majority could expel their members under no other control than that of their own discretion. The operation of this rule is of great efficacy, both over the proceedings of the whole body, and over the conduct of every individual member. The times when the most violent struggles of contending parties occur — when the conflict of opposite passions is most prone to excess — are precisely the times when the numbers are most equally divided; when the majority amounts to the proportion of two-thirds the security in its own strength is of itself a guard against extraordinary stretches of power; when the minority dwindles to the proportion of one-third, its consciousness of weakness dissuades from any attempts to encroach upon the rights of the majority, which might provoke retaliation. But if expulsion were admissible only as a sequel to the issue of a legal prosecution, or upon the same principles and forms of testimony which are established in the criminal courts, your committee can see no possible reason why it should be rendered still more imbecile by the requisition of two-thirds to give it effect.

It is now the duty of your committee to apply the principles

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which they have here endeavored to settle and elucidate, to the particular case upon which the Senate have directed them to report. The bills of indictment found against Mr. Smith, at the late session of the circuit court of the United States at Richmond, (copies of which are herewith submitted,) are precisely similar to those found against Aaron Burr. From the volume of printed evidence communicated by the President of the United States to Congress, relating to the trial of Aaron Burr, it appears that a great part of the testimony which was essential to his conviction upon the indictment for treason, was withheld from the jury upon an opinion of the court, that Aaron Burr, not having been *present* at the overt act of treason alleged in the indictment, no testimony relative to his conduct or declarations elsewhere, and subsequent to the transactions on Blennerhassett's Island could be admitted. And, in consequence of this suppression of evidence, the traverse jury found a verdict "that Aaron Burr was not proved to be guilty, under that indictment, by any evidence submitted to them." It was also an opinion of the court, that none of the transactions, of which evidence was given on the trials of Aaron Burr, did amount to an overt act of *levying* war, and, of course, that they did not amount to treason. These decisions, forming the basis of the issue upon the trials of Burr, anticipated the event which must have awaited the trials of the bills against Mr. Smith, who from the circumstances of his case, must have been entitled to the benefit of their application; they were the sole inducements upon which the counsel for the United States abandoned the prosecution against him.

Your committee are not disposed now to question the correctness of those decisions on a case of treason before a court of criminal jurisdiction. But whether the transactions proved against Aaron Burr did or did not amount, in technical language, to an overt act of levying war, your committee have not a scruple of doubt upon their minds that, but for the vigilance and energy of the government, and of faithful citizens under its directions, in arresting their progress and in crushing his designs, they would,

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in a very short lapse of time, have terminated not only in war, but in a war of the most horrible description, in a war at once foreign and domestic. As little hesitation have your committee in saying, that, if the daylight of evidence combining one vast complicated intention, with overt acts innumerable, be not excluded from the mind by the curtain of artificial rules, the simplest understanding cannot but see what the subtlest understanding cannot disguise, crimes before which ordinary treason whitens into virtue; crimes of which war is the mildest feature. The debauchment of our army, the plunder and devastation of our own and of foreign territories, the dissolution of our national Union, and the root of interminable civil war, were but the means of individual aggrandizement, the steps to projected usurpation. If the ingenuity of a demon were taxed to weave, into one composition, all the great moral and political evils which could be inflicted upon the people of these States, it could produce nothing more than a texture of war, dismemberment, and despotism. Of these designs, a grand jury, composed of characters as respectable as this nation can boast, have, upon the solemnity of their oaths, charged John Smith with being an accomplice. The reasons upon which the trial of this charge has not been submitted to the verdict of a jury, have been shown by your committee, and are proved by the letter from the Attorney of the United States for the District of Virginia, herewith reported. And your committee are of opinion that the dereliction of the prosecution on those grounds cannot, in the slightest degree, remove the imputation which the accusations of the grand jury have brought to the door of Mr. Smith.

Your committee will not permit themselves to comment upon the testimony which they submit herewith to the Senate; nor upon the answers which Mr. Smith has given as sufficient for his justification. Desirous as the committee have been that this justification might be complete, anxiously as they wished for an opportunity of declaring their belief of his innocence, they can neither control nor dissemble the operation of the evidence upon their minds; and however painful to their feelings, they find themselves

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compelled by a sense of duty, paramount to every other consideration, to submit to the Senate, for their consideration the following resolution:

Resolved, That John Smith, a Senator from the State of Ohio, by his participation in the conspiracy of Aaron Burr against the *peace*, *Union*, and *liberties*, of the people of the United States, has been guilty of conduct incompatible with his duty and station as a Senator of the United States. And that he be therefor, and hereby is, expelled from the Senate of the United States.[1]

[1] "No document has been before us, during the present session, more extraordinary than the one I now enclose — the report of my colleague in the case of John Smith, Senator from Ohio. To you any comments, if I had now time to make them, would be impertinent." *Pickering to Rufus King*, January 2, 1808. *Life and Correspondence of Rufus King*, V. 44. "I cannot fail to express my serious regret that the report in the case of John Smith was drawn up by your colleague. The times are not such as allow men of learning to express slight opinions concerning the forms and independence of the Judiciary; under any circumstance a want of consideration in this respect would be indiscreet; at a period when so much war and prejudice prevail concerning the importance of this department of government, it is eminently the duty of enlightened men to avoid everything that may seem to justify and encourage the innovations which ignorant and wicked men meditate." *King to Pickering*, January 7, 1808. *Ib.*, 50. Plumer learned that the report had given "mortal offense" in New Hampshire, and sixteen years later Pickering asserted that there were passages in it which "outraged, I believe, every distinguished lawyer in America." See *Mass. Hist. Soc. Proceedings*, XLV. 356. A series of severe strictures on the report appeared in the *New York Evening Post*, January, 1808, ostentatiously addressed to Adams as "a Senator of the United States and professor of Oratory in Massachusetts," and speaks of him as "once a federalist." See also Adams, *Memoirs*, January 7, and April 9, 1808.

In Lowell's *Remarks* on the review of Ames' *Works* (p. 25), he reminded Adams, that "there are those amongst us who have not forgotten the report in the case of Senator Smith, where justice, so far from being sacred in her temple, was to be dragged from her seat to perform the polluting office of private revenge; where the snail-like pace of the common law seemed to be too tardy for those who thirsted for victims; and where the eager minister of presidential vengeance seemed to sigh after the mild mercies of the star chamber, and the rapid movements of the revolutionary tribunal."

"I remember that on my way home last May you informed me that J. Q. Adams had called on you; and in speaking of the acquittal of John Smith of Ohio, he ascribed it to Mr. Jefferson whom he supposed *to be in Smith's hands*. This un-

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TO JAMES SULLIVAN

WASHINGTON, 10 January, 1808.

SIR:

I lose not a moment in answering your Excellency's inquiries with regard to the causes of the embargo so far as they were understood by me.

1. It was explicitly recommended by the President in a message communicating a decision by order of the French Emperor, that the decree of 21 November, 1806, should be strictly executed against the Americans, as well as all others; and also the British proclamation commanding their naval officers to impress British subjects from our vessels.

2. The answer of Mr. Rose, transferring the negotiations between Great Britain and this country from London to this place, was considered as an extraordinary and suspicious circumstance. There were reasons for supposing that the tone of Mr. Rose's instructions would be so arrogant and overbearing that they would be deemed inadmissible here, and the negotiation arrested at the threshold. It was thought probable that the British squadron on our coast would have instructions to commence hostilities immediately on the rupture of the negotiation, and prudence seemed to call for a measure which would avoid exposing to capture any of our vessels which might be *issuing from* our ports. The occurrences since Mr. Rose's arrival have tended very much to confirm these expectations. He has raised a punctilio without landing concerning the treatment not of himself, but of the ship in which he came; and the British ship *Triumph* has

doubtedly was the fact. If you recollect any fact, stated by J. Q. A. as the ground of his opinion, I should be glad to know it." *Pickering to Rufus King*, January 21, 1809. King replied that no fact was mentioned in support of this opinion. *Life and Correspondence of Rufus King*, V. 129, 132.

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been into Lynn Haven Bay, and received dispatches from the station.

3. There was all but official intelligence that the British king had issued a *retaliating* proclamation to counteract that of France, and of equal extent. It was obvious that between the two, every American vessel that should be permitted to sail would go to almost certain capture and condemnation. A temporary suspension of their departure was thought therefore necessary.

4. It was probable that the embargo, by throwing out of employment the British sailors in this country, would induce them to return of their own accord to the ships of their own sovereign. *To me* this was a very desirable circumstance, for I believed it would take away the only pretext the British have to offer for engaging in a quarrel with us.

5. It was an experiment to see how far the Government might calculate upon the support of the people for the maintenance of their own rights. It was useful and might be of importance to the country, to commence this experiment and observe its effects before the negotiation with Mr. Rose should commence.

On the whole I considered it as a measure eminently calculated for the preservation of peace, as it would at once diminish the temptations and opportunities of the enemy to commence war against us, and as it would prepare our own people for an acquiescence in terms on our part, which, without sacrificing any of our rights, might still go further to conciliation than the temper of the people would have brooked without it. Yet it was a measure so necessarily distressing to ourselves, that I should have hesitated upon it, but for the decisive recommendation of the President.

The letters of Messrs. Armstrong and Champagny about which so much has been said, related solely to the decree of

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21 November, 1806. Nothing more was communicated to Congress. It was, however, in my mind a measure merely precautionary and which I had and have no idea will be of long continuance. General embargoes of six or twelve months, of which some gentlemen talk so lightly, never entered my brain as practicable things in a great commercial country. I question whether an example of the kind can be found in history.

I am, etc.

MOTION ON THE EMBARGO

January 11, 1808.

Resolved, That a committee be appointed, with leave to report by bill or otherwise, and instructed to inquire at what period the present embargo can, consistently with the public interest, be removed; and whether, in what manner, and to what extent, upon its removal, the merchant vessels of the United States shall be permitted, in defence of their lawful commerce, to be armed against, and to resist, foreign aggression.[1]

[1] *Annals of Congress*, 10th Cong., 1st Sess., I. 79; Adams, *New England Federalism*, 190. The motion was defeated by a vote of ten to seventeen. "I am glad to see your motion on the embargo; it will do good for those who are opposed to that measure to have an opportunity to express their minds." *James Sullivan to John Quincy Adams*, January 23, 1808. Ms. "A suffering community will thank Mr. Adams for proposing an inquiry: but as the Legislature evidently did not know why they laid it on, they cannot know why nor when they ought to take it off. They professed to be governed by the President's recommendation, and they must wait his pleasure." *The Repertory*, February 2, 1808. A report on the case of the ship *Manilla*, prepared by Adams, is in *Annals of Congress*, 10th Cong., 1st Sess., I. 107.

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TO JOHN ADAMS

WASHINGTON, 27 January, 1808.

MY DEAR SIR:

I have already written you a very long letter in answer to your favor of the 8th instant,[1] and after writing it upon reading it over concluded the best disposition I could make of it would be to burn it. Accordingly the flames have consumed it, and I must begin again.

Your answers and observations upon my inquiries respecting the impressment of our seamen by the British are of the highest interest. But this general question has been absorbed by the new decrees of the great contending belligerent powers. Right and wrong are no longer subjects of discussion in our concerns with European nations. They appear to be agreed in the determination that there shall be no more neutrality, and our only choice is which of the two we will resist.

I am very sensible of that situation in which you consider me to stand, and that being now wholly unsupported by any great party the expiration of my present term of service will dismiss me from my public station. By this event my vanity may be affected, but in every other respect it will be a relief. Deeming it inconsistent with my duties ever to shrink from the service of my country I have always adhered to the principle that I should not solicit any of its favors. The present time and the prospects of the nation are such that a seat in the public councils cannot be an object of my desire. My literary profession and the education of my children will occupy all my time in a manner which will furnish me duties enough to discharge. I shall also resume the practice of the

[1] Printed in *Mass. Hist. Soc. Proceedings*, XLIV. 422.

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law as far as that will resume me, and although this is a business for which I know myself to be indifferently qualified, I shall still pursue it as far as my circumstances will admit.[1]

Notwithstanding the critical situation of the country the two Houses of Congress are acting very much at their leisure, and from their present proceedings one would imagine we were in a state of profound peace. The presidential election engrosses the principal attention of the members. About one-half the members of both houses here have declared in favor of Mr. Madison and to re-elect the Vice President. In the legislature of Virginia, also, the friends of Mr. Madison have outnumbered those of Mr. Monroe nearly three to one. I understand that by way of making a temporary provision for Mr. Monroe he is to be chosen Governor of Virginia. . . .

TO HARRISON GRAY OTIS [2]

WASHINGTON, March 31, 1808.

DEAR SIR:

I have received from one of my friends in Boston a copy of a printed pamphlet, containing a letter from Mr. Pick-

[1] "Your situation you think critical; I think it is clear, plain, and obvious. You are supported by no party; you have too honest a heart, too independent a mind, and too brilliant talents, to be sincerely and confidentially trusted by any man who is under the dominion of party maxims or party feelings. And where is there another man who is not? You may depend upon it then that your fate is decided. You will be countenanced neither by France, Spain or England. You will be supported neither by federalists nor republicans. In the next Congress Dr. Eustis will be chosen senator, and you will be numbered among the dead, like Jay, Ellsworth, King, Ames, Dexter, and a hundred others of the brightest geniuses of the country. You ought to know and expect this, and by no means to regret it. Return to your professorship, but above all to your office as a lawyer. Devote yourself to your profession and the education of your children." *John Adams to John Quincy Adams*, January 8, 1808. Ms. On the interview with Jefferson, March 15, see Adams, *Memoirs*, I. 521; *New England Federalism*, 12, 24.

[2] The occasion for this pamphlet is related in the "Appendix," prepared in 1824,

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ering to the Governor of the Commonwealth, intended for communication to the legislature of the State, during their session, recently concluded. But this object not having been accomplished, it appears to have been published by some friend of the writer, whose inducement is stated, no doubt truly, to have been the importance of the matter discussed in it, and the high respectability of the author.

The subjects of this letter are the embargo, and the differences in controversy between our country and Great Britain — subjects upon which it is my misfortune, in the discharge of my duties as a Senator of the United States, to differ from the opinions of my Colleague. The place where the question upon the first of them, in common with others of great national concern, was between him and me, in our official capacities a proper object of discussion, was the Senate of the Union. There it was discussed, and, as far

and now reprinted (p. 224, *infra*). Although the name of Adams did not appear in Pickering's pamphlet, the intention of the attack could not be mistaken. Published in the last hours of the session of the General Court, immediately before the State election, on the result of which would hang the choice of a United States senator to fill the place then occupied by Adams, it served as an active electioneering device in a community dependent upon commerce, and already experiencing the effects of the embargo. March 16, Adams received a copy of Pickering's pamphlet, and prepared this reply, which appeared April 9. See Adams, *New England Federalism*, 194.

"I had the honour to receive your letter to Mr. Otis on Thursday evening last, and have attended to its publication, with as much expedition as possible. The printers have published an edition of a thousand copies; the sale of them commenced this morning, and the whole are now disposed of. Oliver and Munroe are now printing a second edition of a thousand more on their own account and have contracted with several of the democrats, with Eben Larkin bookseller at their head, to print three thousand more for general circulation in the Country. In consequence of the great haste with which they were printed, some few errors have escaped us, which I shall see corrected in the second edition. I sent you several copies last evening and now send you several more by this mail. I have also agreeably to your direction sent a copy to Governour Sullivan and to Mr. Otis. . . ." *William S. Shaw to John Quincy Adams*, April 9, 1808. Ms.

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as the constitutional authority of that body extended, there it was decided. Having obtained alike the concurrence of the other branch of the national legislature, and the approbation of the President, it became the law of the land, and as such I have considered it entitled to the respect and obedience of every virtuous citizen.

From these decisions, however, the letter in question is to be considered in the nature of an appeal; in the first instance, to our common constituents, the legislature of the State; and in the second, by the publication, to the people. To both these tribunals I shall always hold myself accountable for every act of my public life. Yet, were my own political character alone implicated in the course which has in this instance been pursued, I should have forborne all notice of the proceeding, and have left my conduct in this, as in other cases, to the candor and discretion of my Country.

But to this species of appeal, thus conducted, there are some objects on constitutional grounds, which I deem it my duty to mention for the consideration of the public. On a statement of circumstances attending a very important act of national legislation, a statement which the writer undoubtedly believed to be true, but which comes only from one side of the question and which, I expect to prove in the most essential points erroneous, the writer with the most animated tone of energy calls for the *interposition* of the commercial States, and asserts that "nothing but their sense, clearly and emphatically expressed, will save them from ruin." This solemn and alarming invocation is addressed to the legislature of Massachusetts, at so late a period of their session, that had it been received by them, they must have been compelled either to act upon the views of this representation, without hearing the counter statement of the other side, or seemingly to disregard the pressing in-

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terest of their constituents, by neglecting an admonition of the most serious complexion. Considering the application as a precedent, its tendency is dangerous to the public. For on the first supposition, that the legislature had been precipitated to act on the spur of such an instigation, they must have acted on imperfect information, and under an excitement, not remarkably adapted to the composure of safe deliberation. On the second they would have been exposed to unjust imputations, which at the eve of an election might have operated in the most inequitable manner upon the characters of individual members.

The interposition of one or more State legislatures, to control the exercise of the powers vested by the general Constitution in the Congress of the United States, is at least of questionable policy. The views of a State legislature are naturally and properly limited in a considerable degree to the particular interests of the State. The very object and formation of the *national* deliberative assemblies was for the compromise and conciliation of the interests of all — of the whole nation. If the appeal from the regular, legitimate measures of the body where the whole nation is represented, be proper to one State legislature, it must be so to another. If the commercial States are called to interpose on one hand, will not the agricultural States be with equal propriety summoned to interpose on the other? If the East is stimulated against the West, and the Northern and Southern Sections are urged into collision with each other, by appeals from the acts of Congress to the respective States — *in what are these appeals to end?*

It is undoubtedly the right, and may often become the duty of a State legislature, to address that of the nation, with the expression of its wishes, in regard to interests peculiarly concerning the State itself. Nor shall I question the

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right of every member of the great federative compact to declare its own sense of measures interesting to the nation at large. But whenever the case occurs that this sense should be "clearly and emphatically" expressed, it ought surely to be predicated upon a full and impartial consideration of the whole subject — not under the stimulus of a one-sided representation — far less upon the impulse of conjectures and suspicions. It is not through the medium of personal sensibility, nor of party bias, nor of professional occupation, nor of geographical position, that *the whole truth* can be discerned, of questions involving the rights and interests of this extensive Union. When their discussion is urged upon a State legislature, the first call upon its members should be to cast all their feelings and interests as the citizens of a single State into the common stock of the national concern.

Should the occurrence upon which an appeal is made from the councils of the nation, to those of a single State be one, upon which the representation of the State had been divided, and the member who found himself in the minority, felt impelled by a sense of duty to invoke the interposition of his constituents, it would seem that both in justice to them, and in candor to his colleague, some notice of such intention should be given to him, that he too might be prepared to exhibit his views of the subject upon which the difference of opinion had taken place; or, at least that the resort should be had, at such a period of time as would leave it within the reach of possibility for his representations to be received, by their common constituents, before they would be compelled to decide on the merits of the case.

The fairness and propriety of this course of proceeding must be so obvious, that it is difficult to conceive of the propriety of any other. Yet it presents another inconvenience

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which must necessarily result from this practice of appellate legislation. When one of the senators from a State proclaims to his constituents that a particular measure, or system of measures which has received the vote and support of his colleague, are pernicious and destructive to those interests which both are bound by the most sacred of ties, with zeal and fidelity to promote, the denunciation of the measures amounts to little less than a denunciation of the man. The advocate of a policy thus reprobated must feel himself summoned by every motive of self-defence to vindicate his conduct: and if his general sense of his official duties would bind him to the industrious devotion of his whole time to the public business of the session, the hours which he might be forced to employ for his own justification, would of course be deducted from the discharge of his more regular and appropriate functions. Should these occasions frequently recur, they could not fail to interfere with the due performance of the public business. Nor can I forbear to remark the tendency of such antagonizing appeals to distract the councils of the State in its own legislature, to destroy its influence, and expose it to derision, in the presence of its sister States, and to produce between the colleagues themselves mutual asperities and rancors, until the great concerns of the nation would degenerate into the puny controversies of personal altercation.

It is therefore with extreme reluctance that I enter upon this discussion. In developing my own views and the principles which have governed my conduct in relation to our foreign affairs, and particularly to the embargo, some very material differences in point of fact as well as of opinion, will be found between my statements, and those of the letter, which alone can apologize for this. They will not, I trust, be deemed in any degree disrespectful to the writer. Far

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more pleasing would it have been to me, could that honest and anxious pursuit of the policy best calculated to promote the honor and welfare of our country, which, I trust, is felt with equal ardor by us both, have resulted in the same opinions, and have given them the vigor of united exertion. There is a candor and liberality of conduct and of sentiment due from associates in the same public charge, towards each other, necessary to their individual reputation, to their common influence, and to their public usefulness. In our republican government, where the power of the nation consists alone in the sympathies of opinion, this reciprocal deference, this open hearted imputation of honest intentions, is the only adamant at once attractive and impenetrable, that can bear, unshattered, all the thunder of foreign hostility. Ever since I have had the honor of a seat in the national councils, I have extended it to every department of the government. However differing in my conclusions, upon questions of the highest moment, from any other man, of whatever party, I have never, upon suspicion, imputed his conduct to corruption. If this confidence argues ignorance of public men and public affairs, to that ignorance I must plead guilty. I know, indeed, enough of human nature to be sensible that vigilant observation is at all times, and that suspicion may occasionally become necessary, upon the conduct of men in power. But I know as well that confidence is the only cement of an elective government. Election is the very test of confidence, and its periodical return is the constitutional check upon its abuse; of which the electors must of course be the sole judges. For the exercise of power, where man is free, confidence is indispensable; and when it once totally fails, when the men to whom the people have committed the application of their force, for their benefit, are to be presumed of the vilest of mankind, the very foundation

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of the social compact must be dissolved. Towards the gentleman whose official station results from the confidence of the same legislature, by whose appointment I have the honor of holding a similar trust, I have thought this confidence peculiarly due from me, nor should I now notice his letter, notwithstanding the disapprobation it so obviously implies at the course which I have pursued in relation to the subjects of which it treats, did it not appear to me calculated to produce upon the public mind, impressions unfavorable to the rights and interests of the nation.

Having understood that a motion in the Senate of Massachusetts was made by you, requesting the Governor to transmit Mr. Pickering's letter to the legislature, together with such communications, relating to public affairs, as he might have received from me,[1] I avail myself of the circumstance, and of the friendship which has so long subsisted between us, to take the liberty of addressing this letter, intended for publication, to you. Very few of the facts which I shall state will rest upon information peculiar to myself. Most of them will stand upon the basis of official documents, or of public and undisputed notoriety. For my opinions, though fully persuaded, that even where differing from your own, they will meet with a fair and liberal judge in you, yet of the public I ask neither favor nor indulgence. Pretending to no extraordinary credit from the authority of the writer, I am sensible they must fall by their own weakness, or stand by their own strength.

The first remark which obtrudes itself upon the mind upon the perusal of Mr. Pickering's letter is, that in enumerating all the *pretences* (for he thinks there are no causes) for the embargo, and for a war with Great Britain, he has totally omitted the British Orders of Council of November 11, 1807,

[1] *Columbian Centinel*, March 9, 1808. The motion was negatived.

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those orders under which millions of the property of our fellow citizens, are now detained in British hands, or confiscated to British captors, those orders, under which tenfold as many millions of the same property would have been at this moment in the same predicament, had they not been saved from exposure to it by the embargo, those orders, which if once submitted to and carried to the extent of their principles, would not have left an inch of American canvas upon the ocean, but under British license and British taxation. An attentive reader of the letter, without other information, would not even suspect their existence. They are indeed in one or two passages, faintly, and darkly alluded to under the justifying description of "the orders of the British government, *retaliating* the French imperial decree:" but as causes for the embargo, or as possible causes or even *pretences* of war with Great Britain, they are not only unnoticed, but their very existence is by direct implication denied.

It is indeed true, that these orders were not officially communicated with the President's message recommending the embargo. They had not been officially received. But they were announced in several paragraphs from London and Liverpool newspapers of the 10th, 11th and 12th of November, which appeared in the *National Intelligencer* of 18th December, the day upon which the embargo message was sent to Congress. The British government had taken care that they should not be authentically known before their time — for the very same newspapers which gave this inofficial notice of these orders, announced also the departure of Mr. Rose, upon a special mission to the United States. And we know that of these all-devouring instruments of rapine Mr. Rose was not even informed. His mission was professedly a mission of conciliation and reparation for a flagrant, enormous, acknowledged outrage. But he was not

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sent with these Orders of Council in his hands. His text was the disavowal of Admiral Berkeley's conduct. The commentary was to be discovered on another page of the British ministerial policy. On the face of Mr. Rose's instructions, these Orders of Council were as invisible, as they are on that of Mr. Pickering's letter.

They were not merely without official authenticity. Rumors had for several weeks been in circulation derived from English prints, and from private correspondences, that such orders were to issue; and no inconsiderable pains were taken here to discredit the fact. Assurances were given that there was reason to believe no such orders to be contemplated. Suspicion was lulled by declarations equivalent nearly to a positive denial: and these opiates were continued for weeks after the embargo was laid, until Mr. Erskine received instructions to make the official communication of the orders themselves, in their proper shape, to our government.

Yet, although thus unauthenticated, and even although thus in some sort denied, the probability of the circumstances under which they were announced, and the sweeping tendency of their effects, formed to my understanding a powerful motive, and together with the papers sent by the President, and his express recommendation, a decisive one, for assenting to the embargo. As a precautionary measure, I believed it would rescue an immense property from depredation, if the orders should prove authentic. If the alarm was groundless, it must very soon be disproved, and the embargo might be removed with the danger.

The omission of all notice of these facts in the pressing enquiries "why the Embargo was laid?" is the more surprising, because they are of all the facts, the most material, upon a fair and impartial examination of the expediency of that Act, when it passed. And because these orders, together

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with the subsequent "retaliating decrees" of France and Spain, have furnished the only reasons upon which I have acquiesced in its continuance to this day. If duly weighed, they will save us the trouble of resorting to jealousies of secret corruption, and the imaginary terrors of Napoleon for the real cause of the embargo. These are fictions of foreign invention. The French Emperor had *not* declared that he would have no neutrals. He had *not* required that our ports should be shut against British commerce — but the Orders of Council if submitted to would have degraded us to the condition of colonies. If resisted would have fattened the wolves of plunder with our spoils. The embargo was the only shelter from the Tempest — the last refuge of our violated peace.

I have indeed been myself of opinion that the embargo, must in its nature be a temporary expedient, and that preparations manifesting a determination of resistance against these outrageous violations of our neutral rights ought at least to have been made a subject of serious deliberation in Congress. I have believed and do still believe that our internal resources are competent to the establishment and maintenance of a naval force, public and private, if not fully adequate to the protection and defence of our commerce, at least sufficient to induce a retreat from these hostilities and to deter from a renewal of them, by either of the warring parties; and that a system to that effect might be formed, ultimately far more economical, and certainly more energetic than a three years embargo. Very soon after the closure of our ports, I did submit to the consideration of the Senate, a proposition for the appointment of a committee to institute an enquiry to this end. But my resolution met no encouragement. Attempts of a similar nature have been made in the House of Representatives, but have been equally discoun-

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tenanced, and from these determinations by decided majorities of both houses, I am not sufficiently confident in the superiority of my own wisdom to appeal, by a topical application to the congenial feelings of any one — not even of my own native section of the Union.

The embargo, however, is a restriction always under our own control. It was a measure altogether of defence and of experiment. If it was injudiciously or over-hastily laid, it has been every day since its adoption open to a repeal: if it should prove ineffectual for the purposes which it was meant to secure, a single day will suffice to unbar the doors. Still believing it a measure justified by the circumstances of the time, I am ready to admit that those who thought otherwise may have had a wiser foresight of events, and a sounder judgment of the then existing state of things than the majority of the national legislature, and the President. It has been approved by several of the State legislatures, and among the rest by our own. Yet of all its effects we are still unable to judge with certainty. It must still abide the test of futurity. I shall add that there were other motives which had their operation in contributing to the passage of the act, unnoticed by Mr. Pickering, and which having now ceased will also be left unnoticed by me. The Orders of Council of 11th November still subsist in all their force; and are now confirmed, with the addition of *taxation*, by act of Parliament.

As they stand in front of the real causes for the embargo, so they are entitled to the same pre-eminence in enumerating the causes of hostility, which the British ministers are accumulating upon our forbearance. They strike at the root of our independence. They assume the principle that we shall have no commerce in time of war, but with her dominions, and as tributaries to her. The exclusive confinement of

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commerce to the mother country, is the great principle of the modern colonial system; and should we by a dereliction of our rights at this momentous stride of encroachment surrender our commercial freedom without a struggle, Britain has but a single step more to take, and she brings us back to the stamp act and the tea tax.

Yet these orders — thus fatal to the liberties for which the sages and heroes of our revolution toiled and bled — thus studiously concealed until the moment when they burst upon our heads — thus issued at the very instant when a mission of atonement was professedly sent — in these orders we are to see nothing but a "retaliating order upon France" — in these orders, we must not find so much as a cause — nay not so much as a pretence, for complaint against Britain.

To my mind, sir, in comparison with those orders, the three causes to which Mr. Pickering explicitly limits our grounds for a rupture with England, might indeed be justly denominated *pretences;* in comparison with them, former aggressions sink into insignificance. To argue upon the subject of our disputes with Britain, or upon the motives for the embargo, and keep them out of sight, is like laying your finger over the *unit* before a series of noughts, and then arithmetically proving that they all amount to nothing.

It is not however in a mere omission, nor yet in the history of the embargo, that the inaccuracies of the statement I am examining have given me the most serious concern — it is in the view taken of the questions in controversy between us and Britain. The wisdom of the embargo is a question of great, but transient magnitude, and omission sacrifices no national right. Mr. Pickering's object was to dissuade the nation from a war with England, into which he suspected the administration was plunging us, under French compulsion. But the tendency of his pamphlet is to reconcile the nation,

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or at least the commercial states, to the servitude of British protection, and war with all the rest of Europe. Hence England is represented as contending for the common liberties of mankind, and our only safe-guard against the ambition and injustice of France. Hence all our sensibilities are invoked in her favor, and all our antipathies against her antagonist. Hence, too, all the subjects of difference between us and Britain are alleged to be on our part mere *pretences*, of which the *right* is unequivocally pronounced to be *on her side*. Proceeding from a Senator of the United States, specially charged as a member of the executive with the maintenance of the nation's rights, against foreign powers, and at a moment extremely critical of pending negotiation upon all the points thus delineated, this formal *abandonment* of the American cause, this summons of unconditional surrender to the pretensions of our antagonist, is in my mind highly alarming. It becomes therefore a duty to which every other consideration must yield to point out the errors of this representation. Before we strike the standard of the nation, let us at least examine the purport of the summons.

And first, with respect to the impressment of our seamen. We are told that "the taking of British seamen found on board our merchant vessels, by British ships of war, is agreeably to a *right*, claimed and exercised for ages." It is obvious that this claim and exercise of ages, could not apply to us, as an independent people. If the right was claimed and exercised while our vessels were navigating under the British flag, it could not authorize the same claim when their owners have become the citizens of a sovereign state. As a relict of colonial servitude, whatever may be the claim of Great Britain, it surely can be no ground for contending that it is entitled to our submission.

If it be meant that the right has been claimed and exer-

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cised for ages over the merchant vessels of other nations, I apprehend it is a mistake. The case never occurred with sufficient frequency to constitute even a practice, much less a right. If it had been either, it would have been noticed by some of the writers on the laws of nations. The truth is, the question arose out of American independence — from the severance of one nation into two. It was never made a question between any other nations. There is therefore no right of prescription.

But, it seems, it has also been *claimed* and *exercised*, during the whole of the three administrations of our national government. And is it meant to be asserted that this claim and exercise constitute a right? If it is, I appeal to the uniform, unceasing and urgent remonstrances of the three administrations — I appeal not only to the warm feelings, but cool justice of the American people — nay, I appeal to the sound sense and honorable sentiment of the British nation itself, which, however, it may have submitted at home to this practice, never would tolerate its sanction by law, against the assertion. If it is not, how can it be affirmed that it is on our part a mere pretence?

But the first merchant of the United States, in answer to Mr. Pickering's late enquiries has informed him that since the affair of the *Chesapeake* there has been no cause of complaint — that he could not find a single instance where they had taken one man out of a merchant vessel. Who it is, that enjoys the dignity of first merchant of the United States we are not informed.[1] But if he had applied to many merchants in Boston as respectable as any in the United States, they could have told him of a valuable vessel and cargo, totally lost upon the coast of England, last in August last, and solely

[1] It was William Gray of Salem. His letter to Pickering, making the statement about impressments, dated January 8, 1808, is in the Pickering Mss.

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in consequence of having had two of her men, native Americans taken from her by impressment, two months after the affair of the *Chesapeake*.

On the 15th of October, the king of England issued his proclamation, *commanding* his naval officers, to impress his subjects from neutral vessels. This proclamation is represented as merely "requiring the return of his subjects, the seamen especially, from foreign countries," and then "it is an acknowledged principle that every nation has a right to the service of its subjects in time of war." Is this, sir, a correct statement either of the proclamation, or of the question it involves in which *our* right is concerned? The king of England's right to the service of his subjects in time of war is nothing to us. The question is, whether he has a right to seize them forcibly on board of our vessels while under contract of service to our citizens, within our jurisdiction upon the high seas? And whether he has a right expressly to command his naval officers so to seize them. Is this an acknowledged principle? Certainly not. Why then is this proclamation described as founded upon uncontested principle? and why is the command, so justly offensive to us, and so mischievous as it might then have been made in execution, altogether omitted?

But it is not the taking of British subjects from our vessels, it is the taking under color of that pretence of our own, native American citizens, which constitutes the most galling aggravation of this merciless practice. Yet even this, we are told is but a pretence — for three reasons.

1. Because the number of citizens thus taken is *small*.

2. Because it arises *only* from the impossibility of distinguishing Englishmen from Americans.

3. Because, such impressed American citizens are delivered up, on duly authenticated proof.

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1. Small and great in point of numbers are relative terms. To suppose that the native Americans form a small proportion of the whole number impressed is a mistake. The reverse is the fact. Examine the official returns from the Department of State. They give the names of between four and five thousand men impressed since the commencement of the present war. Of which number, not one-fifth part were British subjects. The number of naturalized Americans could not amount to one-tenth. I hazard little in saying that more than three-fourths were native Americans. If it be said that some of these men, though appearing on the face of the returns American citizens, were really British subjects, and had fraudulently procured their protections; I reply that this number must be far exceeded by the cases of citizens impressed, which never reach the Department of State. The American consul in London estimates the number of impressments during the war at nearly three times the amount of the names returned. If the nature of the offence be considered in its true colors, to a people having a just sense of personal liberty and security, it is in every single instance, of a malignity not inferior to that of murder. The very same act, when committed by the recruiting officer of one nation within the territories of another, is by the universal law and usage of nations punished with death. Suppose the crime had in every instance, as by its consequences it has been in many, deliberate murder. Would it answer or silence the voice of our complaints to be told that the number was small?

2. The impossibility of distinguishing English from American seamen is not the only, nor even the most frequent occasion of impressment. Look again into the returns from the Department of State — you will see that the officers take our men without pretending to enquire where they were

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born; sometimes merely to show their animosity, or their contempt for our country; sometimes from the wantonness of power. When they manifest the most tender regard for the neutral rights of America, they lament that they *want* the men. They regret the necessity, but they *must* have their complement. When we complain of these enormities, we are answered that the acts of such officers were unauthorized; that the commanders of men-of-war are an unruly set of men, for whose violence their own government cannot always be answerable, that enquiry shall be made. A court martial is sometimes mentioned. And the issue of Whitby's [1] court martial has taught us what relief is to be expected from that. There are even examples I am told, when such officers have been put upon the yellow list. But this is a rare exception. The ordinary issue when the act is disavowed, is the promotion of the actor.

3. The impressed native American citizens however, upon *duly authenticated proof* are delivered up. Indeed! how unreasonable then were complaint! How effectual a remedy for the wrong! an American vessel, bound to a European port, has two, three or four native Americans, impressed by a British man-of-war, bound to the East or West Indies. When the American captain arrives at his port of destination he makes his protest, and sends it to the nearest American minister or consul. When he returns home, he transmits the duplicate of his protest to the Secretary of State. In process of time, the names of the impressed men, and of the ship into which they have been impressed, are received by the agent in London. He makes his demand that the men may be delivered up. The Lords of the Admiralty, after a reasonable time for enquiry and advisement, return for answer, that the ship is on a foreign station, and their

[1] Commander of the *Leander*.

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Lordships can therefore take no further steps in the matter. Or, that the ship has been taken, and that the men have been received in exchange for French prisoners. Or, that the men had no protections (the impressing officers often having taken them from the men). Or, that the men were *probably* British subjects. Or that they have entered, and taken the bounty; (to which the officers know how to reduce them). Or, that they have been married, or settled in England. In all these cases, without further ceremony, their discharge is refused. Sometimes, their Lordships, in a vein of humor, inform the agent that the man has been discharged as *unserviceable*. Sometimes, in a sterner tone they say he was *an impostor*. Or perhaps by way of consolation to his relatives and friends, they report that he has fallen in battle, against nations in amity with his country. Sometimes they coolly return that there is *no such man on board the ship;* and what has become of him, the agonies of a wife and children in his native land may be left to conjecture. When all these and many other such apologies for refusal fail, the native American seaman is discharged — and when by the charitable aid of his government he has found his way home, he comes to be informed, that all is as it should be — that the number of his fellow-sufferers is *small* — that it was impossible to distinguish him from an Englishman — and that he was delivered up, on *duly authenticated proof*.

Enough, of this disgusting subject. I cannot stop to calculate how many of these wretched victims are natives of Massachusetts, and how many natives of Virginia. I cannot stop to solve that knotty question of national jurisprudence whether some of them might not possibly be slaves, and therefore not citizens of the United States. I cannot stay to account for the wonder, why, poor, and ignorant and friendless as most of them are, the voice of their complaints is so seldom

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heard in the great navigating states. I admit that we have endured this cruel indignity, through all the administrations of the General Government. I acknowledge that Britain claims the right of seizing her subjects in our merchant vessels, and that even if we could acknowledge it, the line of discrimination would be difficult to draw. We are not in a condition to maintain this right, by war; and as the British government have been more than once on the point of giving it up of their own accord, I would still hope for the day when returning justice shall induce them to abandon it, without compulsion. Her subjects we do not want. The degree of protection which we are bound to extend to them, cannot equal the claim of our own citizens. I would subscribe to any compromise of this contest, consistent with the rights of sovereignty, the duties of humanity, and the principles of reciprocity: but to the right of forcing even her own subjects out of our merchant vessels on the high seas I never can assent.

The second point upon which Mr. Pickering defends the pretensions of Great Britain, is her denial to neutral nations of the right of prosecuting with her enemies and their colonies, any commerce from which they are excluded in time of peace. His statement of this case adopts the British doctrine, as sound. The *right*, as on the question of impressment, so on this, it surrenders at discretion — and it is equally defective in point of fact.

In the first place, the claim of Great Britain, is not to "a right of imposing on this neutral commerce *some limits and restraints*," but of interdicting it altogether, at her pleasure; of interdicting it without a moment's notice to neutrals, after solemn decisions of her courts of admiralty, and formal acknowledgments of her ministers, that it is a lawful trade. And, on such a sudden, unnotified interdiction, of pouncing upon all neutral commerce navigating upon the faith of her

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decisions and acknowledgments, and of gorging with confiscation the greediness of her cruisers. This is the right claimed by Britain. This is the power she has exercised. What Mr. Pickering calls "limits and restraints," she calls relaxations of her right.

It is but little more than two years, since this question was agitated both in England and America, with as much zeal, energy and ability, as ever was displayed upon any question of national law. The British side was supported by Sir William Scott, Mr. Ward,[1] and the author of *War in Disguise*.[2] But even in Britain their doctrine was refuted to demonstration by the Edinburg reviewers. In America, the rights of our country were maintained by numerous writers profoundly skilled in the science of national and maritime law. The *Answer to War in Disguise* was ascribed to a gentleman[3] whose talents are universally acknowledged, and who by his official situations had been required thoroughly to investigate every question of conflict between neutral and belligerent rights which has occurred in the history of modern war. Mr. Gore and Mr. Pinkney, our two commissioners at London, under Mr. Jay's treaty, the former, in a train of cool and conclusive argument addressed to Mr. Madison, the latter in a memorial of splendid eloquence from the merchants of Baltimore, supported the same cause; memorials, drawn by lawyers of distinguished eminence, by merchants of the highest character, and by statesmen of long experience in our national councils from Salem, from Boston, from New Haven, from New York, and from Philadelphia, together with remonstrances to the same effect from Newburyport, Newport, Norfolk and

[1] Robert Plumer Ward (1765–1846).

[2] Sir James Stephen.

[3] Madison.

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Charleston. This accumulated mass of legal learning, of commercial information and of national sentiment from almost every inhabited spot upon our shores, and from one extremity of the Union to the other, confirmed by the unanswered and unanswerable memorial of Mr. Monroe to the British minister,[1] and by the elaborate research and irresistible reasoning of the *examination* of the British doctrine, was also made a subject of full, and deliberate discussion in the Senate of the United States. A committee of seven members of that body, after three weeks of arduous investigation, reported three resolutions, the first of which was in these words: "*Resolved*, that the capture and condemnation, under the orders of the British government, and adjudications of their courts of admiralty of American vessels and their cargoes, on the pretext of their being employed in a trade with the enemies of Great Britain, prohibited in time of peace, is an unprovoked aggression upon the property of the citizens of these United States, a violation of their neutral rights, and *an encroachment upon their national independence*." [2]

On the 13th of February, 1806, the question upon the adoption of this resolution, was taken in the Senate. The yeas and nays were required; but not a solitary *nay* was heard in answer. It was adopted by the unanimous voice of all the senators present. They were twenty-eight in number, and among them stands recorded the name of Mr. Pickering.

Let us remember that this was a question most peculiarly and immediately of *commercial*, and not *agricultural* interest; that it arose from a call, loud, energetic and unanimous from all the merchants of the United States upon Congress, for

[1] September 23, 1805. Printed in *American State Papers*, Foreign Relations, II. 734.

[2] Page 133, *supra*.

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the national interposition; that many of the memorials invoked all the energy of the legislature, and pledged the lives and properties of the memorialists in support of any measures which Congress might deem necessary to vindicate those rights. Negotiation was particularly recommended from Boston, and elsewhere — negotiation was adopted — negotiation has failed — and now Mr. Pickering tells us that Great Britain has claimed and maintained her *right!* He argues that her claim is just — and is not sparing of censure upon those who still consider it as a serious cause of complaint.

But there was one point of view in which the British doctrine on this question was then only considered incidentally in the United States — because it was not deemed material for the discussion of our rights. We examined it chiefly as affecting the principles as between a belligerent and a neutral power. But in fact it was an infringement of the rights of war, as well as of the rights of peace. It was an unjustifiable enlargement of the sphere of hostile operations. The *enemies* of Great Britain had by the universal law of nations a right to the benefits of neutral commerce within their dominions (subject to the exceptions of *actual* blockade and contraband) as well as neutral nations had a right to trade with them. The exclusion from that commerce by this new principle of warfare which Britain, in defiance of all immemorial national usages, undertook by her single authority to establish, but too naturally led her enemies to resort to new and extraordinary principles, by which in their turn they might retaliate this injury upon her. The pretence upon which Britain in the first instance had attempted to color her injustice, was a miserable *fiction.* It was an argument against fact. Her reasoning was, that a neutral vessel by mere admission in time of war, into ports from which it would have been excluded in time of peace, became thereby deprived of

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its national character, and *ipso facto* was transformed into enemy's property.

Such was the basis upon which arose the far famed rule of the war of 1756. Such was the foundation upon which Britain *claimed* and *maintained* this supposed right of adding that new instrument of desolation to the horrors of war. It was distressing to her enemy. Yes! Had she adopted the practice of dealing with them in poison; had Mr. Fox accepted the services of the man who offered to rid him of the French Emperor by assassination, and had the attempt succeeded, it would have been less distressing to France than this rule of the war of 1756; and not more unjustifiable. Mr. Fox had too fair a mind for either, but his comprehensive and liberal spirit was discarded, with the cabinet which he had formed.

It has been the struggle of reason and humanity, and above all the christianity for two thousand years to mitigate the rigors of that scourge of human kind, war. It is now the struggle of Britain to aggravate them. Her rule of the war of 1756, in itself and in its effects, was one of the deadliest poisons, in which it was possible for her to tinge the weapons of her hostility.

In itself and in its effects, I say. For the French decrees of Berlin and of Milan, the Spanish and Dutch decrees of the same or the like tenor, and her own orders of January and November — these alternations of licensed pillage, this eager competition between her and her enemies for the honor of giving the last stroke to the vitals of maritime neutrality, all are justly attributable to her assumption and exercise of this single principle. The rule of war of 1756 was the root, from which all the rest but suckers, still at every shoot growing ranker in luxuriance.

In the last decrees of France and Spain, her own ingenious

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fiction is adopted; and under them, every neutral vessel that submits to English search, has been carried into an English port, or paid a tax to the English government, is declared *denationalized*, that is to have lost her national character, and to have become English property. This is cruel in execution; absurd in argument. To refute it were folly, for to the understanding of a child it refutes itself. But it is the reasoning of British jurists. It is the simple application to the circumstances and powers of France, of the rule of the war of 1756.

I am not the apologist of France and Spain; I have no national partialities; no national attachments but to my own country. I shall never undertake to justify or to palliate the insults or injuries of any foreign power to that country which is dearer to me than life. If the voice of reason and of justice could be heard by France and Spain, they would say, you have done wrong to make the injustice of your enemy towards neutrals the measure of your own. If she chastises with whips do not you chastise with scorpions. Whether France would listen to this language, I know not. The most enormous infractions of our rights hitherto committed by her, have been more in menace than in accomplishment. The alarm has been justly great; the anticipation threatening; but the amount of actual injury small. But to Britain, what can we say? If we attempt to raise our voices, her minister has declared to Mr. Pinkney that she will not hear. The only reason she assigns for her recent Orders of Council is, that France proceeds on the same principles. It is not by the light of blazing temples, and amid the groans of women and children perishing in the ruins of the sanctuaries of domestic habitation at Copenhagen, that we can expect our remonstrances against this course of proceeding will be heard.

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Let us come to the third and last of the causes of complaint, which are represented as so frivolous and so unfounded — "the unfortunate affair of the *Chesapeake*." The orders of Admiral Berkeley, under which this outrage was committed, have been disavowed by his government. General professions of a willingness to make reparation for it, have been lavished in profusion; and we are now instructed to take these professions for *endeavors;* to believe them sincere, because his Britannic Majesty sent us a special envoy; and to cast the odium of defeating these endeavors upon our own government.

I have already told you, that I am not one of those who deem suspicion and distrust, in the highest order of political virtues. Baseless suspicion is, in my estimation, a vice, as pernicious in the management of public affairs, as it is fatal to the happiness of domestic life. When, therefore, the British ministers have declared their disposition to make ample reparation for an injury of a most atrocious character, committed by an officer of high rank, and, as they say, utterly without authority, I should most readily believe them, were their professions not positively contradicted by facts of more powerful eloquence than words.

Have such facts occurred? I will not again allude to the circumstances of Mr. Rose's departure upon his mission at such a precise point of time, that his commission and the Orders of Council of 11th November, might have been signed with the same penful of ink. The subjects were not immediately connected with each other, and his Majesty did not chuse to associate distinct topics of negotiation. The attack upon the *Chesapeake* was disavowed; and ample reparation was withheld only, because with the demand for satisfaction upon that injury, the American government had coupled a demand for the cessation of others; alike in kind,

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but of minor aggravation. But had reparation really been intended, would it not have been offered, not in vague and general terms, but in precise and specific proposals? Were any such made? None. But it is said Mr. Monroe was restricted from negotiating upon this subject apart; and therefore Mr. Rose was to be sent to Washington; charged with this single object; and without authority to treat upon or even to discuss any other. Mr. Rose arrives. The American government readily determine to treat upon the *Chesapeake affair*, separately from all others; but before Mr. Rose sets his foot on shore, in pursuance of a pretension made before by Mr. Canning, he connects with the negotiation, a subject far more distinct from the butchery of the *Chesapeake*, than the general impressment of our seamen, I mean the proclamation, interdicting to British ships of war, the entrance of our harbors.

The great obstacle which has always interfered in the adjustment of our differences with Britain, has been that she would not acquiesce in the only principle upon which fair negotiation between independent nations can be conducted, the principle of reciprocity, that she refuses the application to us of the claim which she asserts for herself. The forcible taking of men from an American vessel, was an essential part of the outrage upon the *Chesapeake*. It was the ostensible purpose for which that act of war unproclaimed, was committed. The President's proclamation was a subsequent act, and was avowedly founded upon many similar aggressions, of which that was only the most aggravated.

If then Britain could with any color of reason claim that the general question of impressment should be laid out of the case altogether, she ought upon the principle of reciprocity to have laid equally out of the case, the proclamation, a measure so easily separable from it, and in its nature merely

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defensive. When therefore she made the repeal of the proclamation an indispensable preliminary to all discussion upon the nature and extent of that reparation which she had offered, she refused to treat with us upon the footing of an independent power. She insisted upon an act of self-degradation on our part, before she would even tell us, what redress she would condescend to grant for a great and acknowledged wrong. This was a condition which she could not but know to be inadmissible, and is of itself proof nearly conclusive that her cabinet never intended to make for that wrong any reparation at all.

But this is not all. It cannot be forgotten that when that atrocious deed was committed, amidst the general burst of indignation which resounded from every part of this Union, there were among us a small number of persons, who upon the opinion that Berkeley's orders were authorized by his government, undertook to justify them in their fullest extent. These ideas probably first propagated by British official characters, in this country, were persisted in until the disavowal of the British government took away the necessity for persevering in them, and gave notice where the next position was to be taken. This patriotic reasoning however had been so satisfactory at Halifax, that complimentary letters were received from Admiral Berkeley himself highly approving the spirit in which they were inculcated, and remarking how easily *peace*, between the United States and Britain might be preserved, if *that* measure of our national rights could be made the prevailing standard of the country.

When the news arrived in England, although the general sentiment of the nation was not prepared for the formal avowal and justification of this unparalleled aggression, yet there were not wanting persons there, ready to *claim and maintain* the right of searching national ships for deserters.

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It was said at the time, but for this we must of course rest upon the credit of inofficial authority, to have been made a serious question in the Cabinet Council; nor was its determination there ascribed to the eloquence of the gentleman who became the official organ of its communication. Add to this a circumstance, which without claiming irrefragable credence of a diplomatic note, has yet its weight upon the common sense of mankind; that in all the daily newspapers known to be in the ministerial interest, Berkeley was justified and applauded in every variety of form that publication could assume, excepting only that of official proclamation. The only part of his orders there disapproved was the reciprocal offer which he made of submitting his own ships to be searched in return — that was very unequivocally disclaimed. The ruffian right of superior force, was the solid base upon which the claim was asserted, and so familiar was this argument grown to the casuists of British national jurisprudence, that the right of a British man-of-war to search an American frigate, was to them a self-evident proof against the right of the American frigate to search the British man-of-war. The same tone has been constantly kept up, until our accounts of latest date; and have been recently further invigorated by a very explicit call for war with the United States, which they contend could be of no possible injury to Britain, and which they urge upon the ministry as affording them an excellent opportunity to accomplish a *dismemberment of this Union.* These sentiments have even been avowed in Parliament, where the nobleman who moved the address of the house of Lords in answer to the king's speech, declared that the right of searching national ships, ought to be maintained against the Americans, and disclaimed only with respect to European sovereigns.

In the meantime Admiral Berkeley, by a court martial of

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his own subordinate officers, hung one of the men taken from the *Chesapeake*, and called his name Jenkin Ratford. There was, according to the answer so frequently given by the Lords of the Admiralty, upon applications for the discharge of impressed Americans, *no such man on board the ship*. The man thus executed had been taken from the *Chesapeake* by the name of Wilson. It is said that on his trial he was identified by one or two witnesses who knew him, and that before he was turned off he confessed his name to be Ratford and that he was born in England. But it has also been said that Ratford is now living in Pennsylvania; and after the character which the disavowal of Admiral Berkeley's own government has given to his conduct, what confidence can be claimed or due to the proceedings of a court martial of his associates held to sanction his proceedings. The three other men had not even been demanded in his orders. They were taken by the sole authority of the British searching lieutenant, after the surrender of the *Chesapeake*. There was not the shadow of a pretence before the court martial that they were British subjects, or born in any of the British dominions. Yet by this court martial they were sentenced to *suffer death*. They were reprieved from execution, only upon condition of renouncing their rights as Americans by voluntary service in the king's ships. They have never been restored. To complete the catastrophe with which this bloody tragedy was concluded, Admiral Berkeley himself in sanctioning the doom of these men, thus obtained, thus tried, and thus sentenced, read them a grave moral lecture on the enormity of their crime, in its tendency to provoke a war between the United States and Great Britain.

Yet amidst all this parade of disavowal by his government — amidst all these professions of readiness to make reparation, not a single mark of the slightest disapprobation

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appears ever to have been manifested to that officer. His instructions were executed upon the *Chesapeake* in June. Rumors of his recall have been circulated here. But on leaving the station at Halifax in December, he received a complimentary address from the colonial assembly, and assured them in answer, that he had no official information of his recall. From thence he went to the West Indies; and on leaving Bermuda for England in February was addressed again by that colonial government, in terms of high panegyric upon his energy, with manifest allusion to his achievement upon the *Chesapeake*.

Under all these circumstances, without applying any of the maxims of a suspicious policy to the British professions, I may still be permitted to believe that their ministry never seriously intended to make us honorable reparation, or indeed any reparation at all for that "unfortunate affair."

It is impossible for any man to form an accurate idea of the British policy towards the United States, without taking into consideration the state of parties in that government, and the views, characters and opinions of the individuals at their helm of state. A liberal and a hostile policy towards America, are among the strongest marks of distinction between the political systems of the rival statesmen of that kingdom. The liberal party are reconciled to our independence; and though extremely tenacious of every right of their own country, are systematically disposed to preserve *peace* with the United States. Their opponents harbor sentiments of a very different description. Their system is coercion. Their object the recovery of their lost dominion in North America. This party now stands high in power. Although Admiral Berkeley may never have received written orders from them for his enterprise upon the *Chesapeake*, yet in giving his instructions to the squadron at Norfolk, he knew

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full well under what administration he was acting. Every measure of that administration towards us since that time has been directed to the same purpose—to break down the spirit of our national independence. Their purpose, as far as it can be collected from their acts, is to force us into war with them or with their enemies; to leave us only the bitter alternative of their vengeance or their protection.

Both these parties are no doubt willing, that we should join them in the war of their nation against France and her allies. The late administration would have drawn us into it by treaty, the present are attempting it by compulsion. The former would have admitted us as allies, the latter will have us no otherwise than as colonists. On the late debates in Parliament, the Lord Chancellor freely avowed that the Orders of Council of 11th November were intended to make America *at last* sensible of the policy of joining England against France.

This too, sir, is the substantial argument of Mr. Pickering's letter. The suspicions of a *design* in our own administration to plunge us into a war with Britain, I never have shared. Our administration have every interest and every motive that can influence the conduct of man to deter them from any such purpose. Nor have I seen anything in their measures bearing the slightest indication of it. But between a design of war with England, and a surrender of our national freedom for the sake of war with the rest of Europe, there is a material difference. This is the policy now in substance recommended to us, and for which the interposition of the commercial States is called. For this, not only are all the outrages of Britain to be forgotten, but the very assertion of our rights is to be branded with odium. *Impressment. Neutral trade. British taxation.* Everything that can distinguish a state of national freedom from a state of national

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vassalage, is to be *surrendered at discretion.* In the face of every fact we are told to believe every profession. In the midst of every *indignity*, we are pointed to British protection as our only shield against the universal conqueror. Every phantom of jealousy and fear is evoked. The image of France with a scourge in her hand is impressed into the service, to lash us into the refuge of obedience to Britain. Insinuations are even made that if Britain "with her thousand ships of war," has not destroyed our commerce, it has been owing to her indulgence, and we are almost threatened in her name with the "destruction of our fairest cities."

Not one act of hostility to Britain has been committed by us, she has not a pretence of that kind to allege. But if she will wage war upon us, are we to do nothing in our own defence? If she issues orders of universal plunder upon our commerce, are we not to withhold it from her grasp? Is American pillage one of those rights which she has claimed and exercised until we are foreclosed from any attempt to obstruct its collection? For what purpose are we required to make this sacrifice of every thing that can give value to the name of freemen, this abandonment of the very right of self-preservation? Is it to avoid a war? Alas! Sir, it does not offer even this plausible plea for pusillanimity. For, as submission would make us to all substantial purposes British colonies, her enemies would unquestionably treat us as such, and after degrading ourselves into voluntary servitude to escape a war with her, we should incur inevitable war with all her enemies, and be doomed to share the destinies of her conflict with a world in arms.

Between this unqualified submission, and offensive resistance against the war upon maritime neutrality waged by the concurring decrees of all the great belligerent powers, the embargo was adopted, and has been hitherto continued.

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So far was it from being dictated by France, that it was calculated to withdraw, and has withdrawn from within her reach all the means of compulsion which her subsequent decrees would have put in her possession. It has added to the motives both of France and England, for preserving peace with us, and has diminished their inducements to war. It has lessened their capacities of inflicting injury upon us, and given us some preparation for resistance to them. It has taken from their violence the lure of interest. It has dashed the philter of pillage from the lips of rapine. That it is distressing to ourselves — that it calls for the fortitude of a people, determined to maintain their rights, is not to be denied. But the only alternative was between that and war. Whether it will yet save us from that calamity, cannot be determined, but if not, it will prepare us for the further struggle to which we may be called. Its double tendency of promoting peace and preparing for war, in its operation upon both the belligerent rivals, is the great advantage, which more than outweighs all its evils.

If any statesman can point out another alternative, I am ready to hear him, and for any practicable expedient to lend him every possible assistance. But let not that expedient be, submission to trade under British licenses, and British taxation. We are told that even under these restrictions we may yet trade to the British dominions, to Africa and China, and with the colonies of France, Spain, and Holland. I ask not, how much of this trade would be left, when our intercourse with the whole continent of Europe being cut off would leave us no means of purchase, and no market for sale? I ask not, what trade we could enjoy with the colonies of nations with which we should be at war? I ask not, how long Britain would leave open to us avenues of trade, which even in these very orders of Council, she boasts of leaving open as

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a special indulgence? If we yield the principle, we abandon all pretence to national sovereignty. To yearn for the fragments of trade which might be left, would be to pine for the crumbs of commercial servitude. The boon, which we should humiliate ourselves to accept from British bounty, would soon be withdrawn. Submission never yet set boundaries to encroachment. From pleading for half the empire, we should sink into supplicants for life. We should supplicate in vain. If we must fall, let us fall, freemen. If we must perish, let it be in defence of our RIGHTS.

To conclude, sir, I am not sensible of any necessity for the extraordinary interference of the commercial States, to control the general councils of the nation. If any interference could at this critical extremity of our affairs have a kindly effect upon our common welfare, it would be an interference to promote union and not a division — to urge mutual confidence, and not universal distrust — to strengthen the arm and not to relax the sinews of the nation. Our suffering and our dangers, though differing perhaps in degree, are universal in extent. As their causes are justly chargeable, so their removal is dependent not upon ourselves, but upon others. But while the spirit of *independence* shall continue to beat in unison with the pulses of the nation, no danger will be truly formidable. Our duties are, to prepare with concerted energy, for those which threaten us, to meet them without dismay, and to rely for their issue upon heaven.

I am, etc.[1]

[1] A series of articles in reply to this letter appeared in *The Repertory*, beginning April 22. In the *New York Evening Post*, William Coleman attacked the letter and its author in scathing terms, and some in Boston reprinted the articles, with others from other sources, in a pamphlet: *Remarks and Criticisms on the Hon. John Quincy Adams's Letter to the Hon. Harrison Gray Otis, Boston, 1808.* The preface to this pamphlet contained the following sentences: "It is left to literary men to decide whether the Honorable Senator has not been overrated as a scholar; and to politi-

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Appendix[1]

July 27, 1824.

On the 18th of December, 1807, Mr. Jefferson sent a *confidential* message to both houses of Congress, recommending an immediate *embargo;* and enclosing two documents, one of which was a recent proclamation of the king of Great Britain, authorizing and commanding the impressment by his naval officers, of British seamen from neutral merchant vessels, and the other a correspondence between General Armstrong, then our minister in France, and the French Minister of Foreign Affairs, Champagny, showing that the Emperor Napoleon had finally determined to carry into full execution, without regard to the treaty between the United States and France, his Berlin decree of 21st November, 1806, which had for some months after it was issued, been suspended with regard to the vessels of the United States.

The attack by a British squadron upon our frigate *Chesapeake*,

cians, whether he has not disappointed them as a statesman. If he has been flattered, admired and trusted beyond his merit, it has been his misfortune; and if all is now left that justly belongs to him, he cannot complain." The language employed by some called out rebukes even from their own following. For example, of "Alfred's" *Letter to J. Q. Adams*, the federalist *Repertory* said, the writer had "indulged in a strain of such bitter invective, and manifested such a disposition to belittle the object of his reprehension, that we can say with confidence, the most decided among federalists will not subscribe to this mode of attack. It will be to them a cause of regret, and to the repudiated senator a source of satisfaction." June 21, 1808. A writer "Marcellus" in the *Independent Chronicle*, March 17, reviewed Pickering's letter, and in a reissue of this article a brief introductory paragraph said: "The style and principles of the writer strongly mark it as the production of the independent and patriotic John Quincy Adams, Esq., one of our Senators in Congress." There is, however, no evidence that Adams had any share in the "Marcellus" contributions, of which this particular article was No. 25. A long list of the replies, endorsements, criticisms and reviews called out by this letter could be compiled, but would be of little interest.

[1] In the summer of 1824, a publisher in Baltimore, Maryland, proposed to reissue the *Letter* to Mr. Otis, and this was done after Adams had contributed this "Appendix." It was printed at the office of the *Baltimore Patriot.*

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had very recently occurred, in consequence of which all British armed vessels had been interdicted from entering the ports of the United States. The British Orders in Council of 11th November, 1807, professedly retaliatory upon the French decree of Berlin, had issued and were already announced in the newspapers of the United States, though not yet officially authenticated. The general state of our commercial affairs was momentous and full of alarm. The British government had disavowed the attack upon the *Chesapeake*, but instead of giving immediate satisfaction for it, had appointed Mr. Rose to come out upon a mission of subterfuge and prevarication concerning it, and *at the same moment* had issued without notification either to the government of the United States, or to their minister in London, the Orders in Council, which but for the embargo, would, while Mr. Rose was amusing us with the fragrance of his diplomacy, have swept three-fourths of the tonnage of the United States into the ports of Great Britain for confiscation.

It was in this state of things that the message recommending the embargo was received and discussed, in *secret session*, by the Senate. The *only* motive for debating it with closed doors was the necessity, if the measure recommended was deemed proper, of adopting it *immediately*. Every hour of debate tended to defeat the object of the message. For the instant it should be known in the commercial cities that an embargo was impending, the spirit of desperate adventure would have rushed to sea, with every plank that could have been made to float; and the delay of a week in deliberation, instead of sheltering the property of our merchants from depredation, would only have cast it forth upon the waters to be intercepted by the cruisers of both the combating nations.

The *message* was referred, in Senate, to a committee of five, of which General Samuel Smith, himself an eminent merchant, brother to the Secretary of the Navy, and in the full confidence of Mr. Jefferson, was chairman, and of which I was a member. The chairman proposed to the committee, to report a bill in compliance with the recommendation of the message. I objected that the

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two documents with the message were not sufficient to justify so strong and severe a measure as an embargo; and enquired, whether besides the general notoriety of the dangers, mentioned in the message, the executive had other reasons for the measure, which it might not be convenient to assign. The chairman said, it was expected and hoped that the act would have a favorable effect, to aid the executive in the negotiation with Mr. Rose; and also that it was intended as a substitution for the non-importation act, which had passed on the 18th of April, 1806, but pending the negotiations had been suspended until the 14th of December, 1807, only four days before the message. This act was itself nearly equivalent to a total commercial non-intercourse with Great Britain; and to have repealed, or longer suspended it at *that* time, would have been a surrender at discretion, upon *all* the subjects of controversy, then in so high a state of aggravation, with that power. To these reasons I yielded, and the bill for laying the embargo was reported to the Senate with the *unanimous* consent of the committee.

The bill was opposed in the Senate, very feebly upon its merits, and exclusively by the federal members, then only four in number. The principal effort made by them was to obtain *delay*, which would, as has been shown, have defeated in a great measure the object of the bill. They obtained against the bill only the vote of Mr. Maclay of Pennsylvania, and of Mr. Crawford, then a new member, but who afterwards constantly supported the adherence of the administration to the act, as long as it was continued.

In assigning to the Senate very briefly my reasons for assenting to the bill, and for the belief that it ought to pass without delay, I admitted that the two documents transmitted with the message, would not have been of themselves, to my mind, sufficient to warrant the measure recommended in it; but referring to the existing state of things, of public notoriety, and denominated in the message "*the present crisis*," I observed that the executive, having recommended the measure upon his responsibility, had doubtless other reasons for it which I was persuaded were satisfactory; that with this view, convinced of the expediency of the bill, I was also im-

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pressed with the necessity of its immediate adoption; that it was a time, not for deliberation but for action; and that I wished the bill, instead of lingering through the dilatory process of ordinary legislation, might pass through all the stages of its enactment in a single day. With these views a decided majority of the Senate concurred. The rule which required that bills should be read three times on three different days, was suspended; all motions of postponement were discarded, and the bill was passed in the Senate by a vote of twenty-two to six.

My allusion to the recommendation of the executive upon his responsibility and to my confidence in it, was purposely made in general terms; but it had reference to the reasons which had been assigned to me in the committee, by the chairman. I deemed it less necessary to specify them, because as I have observed, the opposition to the bill upon its merits was exceedingly feeble; scarcely calling for an answer.

About two months after the embargo had been enacted, and while it was bearing with severe pressure upon the commercial, navigating and fishing interests of the north, Mr. Pickering wrote a letter to the governor of Massachusetts, for communication to the legislature, denouncing the executive and Congress of the United States, for passing the embargo; and calling for the *interposition* of the commercial states to save the country from ruin. The governor sent it back to him, with a letter of rebuke for expecting him to make such a communication to the legislature.[1] Mr. Pickering, apprehensive, as he says, that he should not obtain his object through the governor, sent a copy to his excellent friend, George Cabot, (since President of the Hartford Convention,) who after waiting a few days, finding that the original was not communicated to the legislature, *sent a copy to the printer.*

The governor of Massachusetts, in his answer to Mr. Pickering, had stated that my opinion had been and still was in favor of the embargo. Mr. Pickering replied, and in terms supplied by his

[1] *Interesting Correspondence between his Excellency Governour Sullivan and Col. Pickering*, Boston, 1808.

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feelings at the time, charged me with having in the debate on the embargo, expressed a sentiment which resolved the whole business of legislation into the will of the executive. To support the charge, he quoted several words, which he said I had used in the debate, and which detached from this context, and from the explanation I have now given, might deserve all the severity of his commentary.[1]

[1] "In opposing a postponement, to obtain further information, and to consider a measure of such moment, of such universal concern, Adams made this declaration: 'The President has recommended the measure on his high responsibility: I would not consider — I would not deliberate: I would act. Doubtless the President possesses such further information as will justify the measure'!" *Pickering to Sullivan*, April 22, 1808; he repeated it in his Address to the People of the United States (No. XIV), printed in the *Salem Gazette*, and in pamphlet; and again in his *Review* of the Adams-Cunningham correspondence, adding, "This sentiment was so extraordinary, that I instantly wrote it down."

In the Adams Mss. is an undated draught of a letter to the Editors of the *New England Palladium:* "You are requested to state to the public that Mr. John Quincy Adams never said in the Senate of the United States that he 'would not deliberate.' He confidently believes that he never used the words. He is certain that if he did use them, it was in connection with others which gave them a meaning entirely different from that which has been imputed to him. The sentiments which he did express were these:

"That the general accounts from France and England proved that the commerce and seamen of the United States were threatened with the most imminent dangers. That besides the official documents sent with the President's message recommending the embargo, that officer might perhaps have received information which could not be communicated to Congress, but which might concur with the official papers in producing the recommendation in the message. That *under those circumstances, whatever doubts* might have remained upon his mind, on considering only those two papers, he could not allow them to weigh against the express recommendation of the first magistrate, upon his high responsibility to the nation. That he could not justify it to himself or his country, if in such a state of things he should refuse his assent to the measure thus required. That having come to this conclusion, he was *against postponing the final decision of the question in Senate to another day.* For if another day should be consumed in discussing the question in Senate, it being then Friday, the bill could not go to the House of Representatives until the next week. That as a measure of restriction, the embargo, if adopted, ought to be made to operate as equally as possible throughout the Union; but that if many days were spent in the discussion, individuals in the neighboring ports of Baltimore, Philadelphia and New York, would obtain information of its object, which, not being

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In the same letter Mr. Pickering explicitly admitted that I had never given him the slightest cause of offence, and that in five years of service together as senators from the same State, "though often opposed in opinion, on national measures, there had never existed for a moment any personal difference between us." I notice now this admission, merely to mark the period and the manner in which this mutual respect and forbearance between us ceased, and to whom it was justly imputable.

On my part it did not cease even then. It was impossible to have framed a charge more destitute of foundation; more easily refuted; or more open to the chastisement of severe retaliation. Yet I took no public notice of it; nor shall I now go further beyond the simple declaration that *I never expressed or felt the sentiment* imputed to me by Mr. Pickering, than to observe, that if I uttered it, and had been understood in the sense which he has given to my words, it was his duty, and the duty of every senator present, who so understood me, not only to have had my words taken down at the time, but instantly to have called me to order for using them.

The words as Mr. Pickering professes to have understood them, were undoubtedly in the highest degree disorderly — and a decisive proof that they were not generally so understood is found in the circumstance that no exception was taken to them at the time.

generally public, would give them undue advantages over their fellow citizens, especially those of the remoter ports.

"For these sentiments, and for his votes in favor of the embargo, he is willing to abide by the judgment of his country, of the world, and of posterity. The expression of subserviency to the recommendation of the President, and the refusal to deliberate, which have been imputed to him, he explicitly denies."

Rev. David Osgood delivered the annual election sermon in 1810. Many reflections made in it seem to refer to Adams' political course, and this directly applied to him: "'I would not deliberate,' exclaims the infatuated senator: and so, laws are at once enacted whose execution brings distress upon thousands, arrests a commerce said to be the second in the world, and turns the naval and military force of the country against the industry and peace of its inhabitants; laws, which, in a free republic, outrage all the principles of freedom, trample upon the most essential rights of man, and dissolve the bonds of the social compact." The sermon was printed by the Commonwealth.

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It is a rule of the Senate and of all equitable deliberative assemblies, that exceptionable words shall not only be taken down at the time when spoken, but that he who speaks them shall immediately be called to account for, to retract, or to explain them. Had this rule been observed by Mr. Pickering, when called upon to explain what I meant by reference to the recommendation of the executive, upon his responsibility, and to the *other reasons*, which he might have, and which I had no doubt were satisfactory, I should have had the opportunity of giving the explanation herein contained, and of showing that my words imported no sentiment even of improper deference for the opinions or wishes of the executive. But it is also a breach of order, to refer by way of censure, at one time, to words spoken at another; and a rule equally just that no member shall be called to account in any other place, for words spoken in the Senate. These rules are founded upon principles which every man of a fair and honorable mind feels himself bound to observe; and they apply with peculiar force to a debate with closed doors, which is in its nature secret and confidential.

The error of Mr. Pickering's charge consists in his connecting my expression of confidence in the recommendation of the executive, which I assigned as *one* of my reasons for agreeing to the act, with my argument for the necessity of despatch, which was founded in the nature of the act itself, and the portentous crisis of the times.

The reference to the recommendation of the executive was made in answer to the objection that the documents sent with the message did not justify the measure recommended in it. Knowing that there were other reasons, and referring to them for the justification of my own vote, both in committee and in the Senate, in favor of the bill, nothing could have been farther from my thoughts, as nothing would have been more in conflict with the whole tenor of my conduct through five years of active service as a member of the Senate, than the utterance of a sentiment of subserviency to the *will*, or even to the *wishes* of the executive.

The confidence in the executive which I avowed, was applicable

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to the particular circumstances of the time, and to the particular subject in discussion. Nor was that confidence misplaced. In the House of Representatives the embargo message was debated three days on the merits — but after the three days the House came to the same conclusion at which the Senate had arrived in four hours. It was a wise, a provident, and, above all, a purely patriotic measure. The share that I had in it, and the part that I took in promoting it, remains among the transactions of my public life to which my memory recurs with the most gratifying recollections. Many other events have been less trying to the fortitude of adversity, and more favored by the vicissitudes of fortune; but on no occasion has the consciousness of upright intentions, and a spirit independent alike of obsequiousness to executive will, and of factious opposition borne me with more firm and even step through the temporary furnace of affliction, and sustained me under the abandonment of friends, the alienation of popular favor at home, and all the obloquy that Mr. Pickering and his co-adjutors have from that day to this been able to conjure upon my head.

Between the *system of policy*, of which the embargo was a prominent measure, and that of which Mr. Pickering and his friend the president of the Hartford convention were the "pillars of state," the final and irrevocable sentence of time has now passed — I shall not dwell upon it.

If there be a lesson of political wisdom, which the people of this Union have had cause to learn from their own experience, as well as from the uniform tenor of human history, it is that of carrying a temper of mutual forbearance, through all their divisions; of making the party feeling, which never can include more than a portion of the republic, subordinate to the civic spirit which embraces the whole. In the collisions of political systems, it is the duty of the citizen to take his stand upon deliberate conviction, and to pursue his principles, regardless of consequences to himself. But when the conflict is past, and the contest of *principle* is at an end, both parties, and above all the prevailing party, should remember and practice upon the maxim of the Roman republic, that in civil dis-

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sensions, success was but a lesser evil than defeat, and that no honors of triumph could ever be awarded to victory.[1]

TO ABIGAIL ADAMS

WASHINGTON, 20 April, 1808.

. . . . . .

As for myself, I have not indeed written you so often as my inclination would have dictated; but I hope you will impute it to any cause rather than to a failure in the dearest of my duties. Among the severest of the trials which have befallen me during the present session of Congress (and they have been severe beyond any that I ever was before called to meet) that of having incurred in some particulars the disapprobation of both my parents has been to me the most afflictive. Totally disconnected with all the intrigues of the various parties which have been in such a violent electioneering fermentation, I have been obliged to act upon principles exclusively my own, and without having any aid from the party in power have made myself the very mark of the most envenomed shafts from their opponents. Although I attended at Mr. Bradley's caucus or convention, yet it has been very explicitly understood by the principal friends of the candidates that I had no intention to become the partisan of either.[2] This neutrality with regard to persons has, of

[1] Pickering made some "Brief Remarks" upon this Appendix in Poulson's *American Daily Advertiser*, August 30, 1824.

[2] Adams, *Memoirs*, January 23, 1808. The circular letter, dated the 19th and printed, calling the meeting, is in the Adams Mss., and is endorsed "personally delivered." "Bradley, to be sure, made too much pomposity of it [the caucus], and thereby exposed it to criticism. I blame not your attendance nor your vote. You ought to go on with your system." *John Adams to John Quincy Adams*, February 19, 1808. Ms. "John Quincy Adams! His apostasy is no longer a matter of doubt with anybody. Would you suppose it possible the scoundrel could

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course, neutralized the men of both sides in return, and having taken an active and decided part upon much of the public business, it has on one side been convenient to load me with the burthen of managing as much of it as I would assume, and on the other to leave me to defend myself as well as I could from the assailants of another quarter. Hence there has been scarcely a measure of great public importance but I have been obliged to attend to in committee as well as in the Senate; and in addition to all the rest a question of expulsion of a member has been imposed upon me, of great difficulty respecting the forms of proceeding, and the merits of the particular case, which I have been compelled to carry

summon impudence enough to go to their caucus? I thought we had been sifted so much that what remained was never to be changed. I wish to God the noble house of Braintree had been put in '*a hole*,' and a deep one too, twenty years ago." *B. Gardenier to Rufus King*, January 26, 1808. *Life and Correspondence of Rufus King*, V. 68.

"Our letters say that Mr. Adams, the Massachusetts Senator, did attend the Madisonian caucus, summoned by Bradley; but he did not vote; nor did he take any active part in the approaching canvass. The late movements of this gentleman have excited much conversation and contemplation among his political friends; but those who know him best, do not hesitate to say, he is still radically right; and that though the high ground he has taken, like all things in extremes, may have its fault; it has nevertheless been warranted by a just spirit of patriotism; and a keen susceptibility of injuries received by our country; and that the ground he maintains is more truly American, than that of many of those from whom he has recently differed in opinion; which events, he affirms, will confirm as correct; and which Great Britain will yet acknowledge to be just and proper. On some topics he disagrees from other leading federalists; particularly in regard to confidence in the administration; and the embargo. On other subjects he does not materially vary from his late friends. He is pointed in his condemnation of the whole affair of the *Chesapeake;* is the advocate of a bold and manly vindication of our national commercial rights; and in the stipulations with Great Britain is anxious that we may make the best bargain we can. If this part of his policy is not more *hard* than *honest;* and if we do not, by adopting it, hazard much more than we have any prospect of obtaining by plunging into an unnecessary and, in almost any possible event, a disastrous war, we still think his principles to be federal." *Columbian Centinel*, February 20, 1808.

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through almost alone. The question was taken about ten days since, and the vote for expulsion was nineteen to ten. The Constitution requiring two-thirds to carry the vote, it failed by a single vote. I could tell you, though it may not be proper to say upon paper, by what a curious concurrence of parties the ten votes of acquittal was compounded.

The letter of Mr. Pickering is another document of which I could account for the origin from circumstances perhaps not known to you. I was not named in the letter, but it was hardly possible for me to avoid noticing it. My letter to Mr. Otis was written in great haste, and of course in point of composition is incorrect. It touches only upon the leading inaccuracies of his statement, because both my own want of time, and a regard to the public patience, made it necessary to be as short as possible. Yet it engrossed every leisure moment I could command for a fortnight. I mention these things by way of excuse for not having written more frequently to you.

I have had no intention or desire of influencing elections by what I have written. If an impartial person will consider the situation in which I was placed by Mr. Pickering's letter, I think he will perceive that something from me was indispensable. The effects of my letter will, I hope, be what was intended — to promote Union at home, and urge to vigor against foreign hostile powers. If federalism consists in looking to the British navy as the only palladium of our liberties, I must be a political heretic. If federalism will please to consist of a determination to defend our country, I still subscribe to its doctrines.

My father and brother write me that my letter to Mr. Otis will not have much circulation. I know very well that argument for embargo will not be so catching as invective against it, and if my countrymen are not inclined to hear me, I must

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bear their indifference with as much fortitude and philosophy as I can command. I should hope at least that in future, the legislature will not be taken *by surprise*, and driven to imprudent measures, by having a fire-brand thrown into their windows, in the midst of their session.

We adjourn next Monday. In a fortnight from that time I hope to have the pleasure of seeing you, and at least at Quincy I shall be sure of meeting no altered faces. . . .

Your's dutifully.

TO GEORGE BOYD

BOSTON, 14 May, 1808.

MY DEAR SIR:

I received the day before yesterday your favor of the 5th instant, which I should have answered immediately, but for a species of indisposition which has disqualified me for occupation of any kind.

I can see no impropriety in your intended application to Mr. Madison for the appointment as a messenger to bear dispatches to France, and I could indulge my feelings with no higher gratification than that of aiding your wishes by my recommendation. But my situation in relation to the Secretary of State, as well as to every other member of the administration, is such as to forbid me from every the most distant appearance of solicitation of any favor of any description whatsoever, for myself or for any of my relatives. The course of my political conduct has recently been such as to impose upon me a prohibition of this kind, more rigorous still than I should have felt, had my views of public affairs been at the widest variance from those of the administration. If you should incline to the opinion that this

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resolution bears the complexion of a delicacy too scrupulous, savoring more of indifference to the service of my friends than of genuine purity of principle, cast your eye over the animadversions in all the federal prints, and observe the baseness of motive which they are all so ready to find for every act of my life, since my opinions on objects of national importance have differed from those which they have thought proper to embrace. This sort of invective I can bear with proper composure so long as I know it to be utterly false. But if it were possible for my own mind to charge me with the same accusations, if by the request or even by the receipt of a single favor, however slight, from the administration, I could give occasion even for a just suspicion of the principles upon which I have supported their measures, I should have in my own bosom a chastiser more severe and more implacable than the most inveterate of my enemies, whether of the old school or of the new.

This determination has already more than once compelled me to decline an interference in favor of some of my family connections which was desired, and which it was with much reluctance that I withheld. On no occasion could it possibly be more at war with my strongest inclinations than on that which deprives me of the means of rendering an acceptable service to you. It is I believe known both to Mr. Madison and to Mr. Jefferson, that I have no personal favor whatsoever to ask of either, and an application in behalf of any person connected with me would appear a departure from those principles to which in all consistency I ought to adhere.[1]

[1] Another had suggested to Jefferson the sacrifice made by Adams. "The federal party in this State have obtained the government. Their principal object, at present, appears to be the political and even the personal destruction of John Quincy Adams. They have yesterday come to the choice of a senator in Congress to succeed him next year. James Lloyd had 246 [248] votes, Adams, 213. It is of great consequence to the interest of Mr. Adams, and to that of your administration, to

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The state of our politics under the new legislature is not yet absolutely ascertained, but in all probability the majority in both branches will be federal. This I suppose to be principally the effect of the embargo, an effect which will not be confined to this part of the country.

. . . . . .

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF MASSACHUSETTS

BOSTON, 8 June, 1808.

GENTLEMEN:

It has been my endeavor, as I have conceived it was my duty while holding a seat in the Senate of the Union, to support the Administration of the general government in all necessary measures within its competency, the object of which was to preserve from seizure and depredation the persons and property of our citizens, and to vindicate the rights essential to the independence of our country, against the unjust pretensions and aggressions of all foreign powers.

Certain resolutions recently passed by you have expressed your disapprobation of measures to which under the influence of these motives I gave my assent. As far as the opinions of a majority in the legislature can operate, I cannot but consider these resolutions as enjoining upon the representation of the State in Congress a sort of opposition to the national administration, in which I cannot consistently with my principles concur.

To give you however the opportunity of placing in the Senate of the United States a member, who may devise and

rescue him from their triumphs. I know not how this can be done otherwise than by finding him a foreign appointment of respectability." *James Sullivan to Jefferson*, June 3, 1808. Jefferson Mss.

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enforce the means of relieving our fellow citizens from their present sufferings, without sacrificing the peace of the nation, the personal liberties of our seamen, or the neutral rights of our commerce, I now restore to you the trust committed to my charge, and resign my seat as a Senator of the United States on the part of this Commonwealth. I am, &c.[1]

TO ORCHARD COOK [2]

BOSTON, [22] August, 1808.

DEAR SIR:

Your favor of the 24th and 30th last month came a few days since to my hands. I am duly sensible of the expression of your sentiments contained in it, in relation personally to me. Under the present situation and circumstances of the country I certainly should not have thought myself justifiable in retiring from the public service, had it been left at my option to remain in it. But when the election was precipitated at the May session of the legislature contrary to all example, and apparently for the sole purpose of manifest-

[1] See *Mass. Hist. Soc. Proceedings*, XLV. 354–374.

"My conduct as a public man, having been invariably and exclusively governed by a sense of public duty, I cannot but be gratified that it has met your approbation. Dictated by principles more durable in their nature than the passions of individuals or the prejudices of party, I confidently trust that it will eventually be estimated at its true value by the general sentiment of my country. To the merit of good intentions, it is entitled; to that of zeal for the preservation of our national Union and independence, it has a claim equally just. The rest is in the judgment of others and I shall cheerfully leave it to the deliberate decision of the nation. Union and independence are the Herculean pillars of my political system, and if they ever fall, I am content to fall with them, or to say

Sistimus huc tandem, ubi nobis defuit orbis."

To Samuel Cleveland Blydon, July 13, 1808. Ms.

[2] Of Wiscasset, Mass. He appears to have defended Adams in an address on Independence day, printed in the *Eastern Argus*.

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ing the disposition of the ruling majority with regard to me, and when the same majority had passed resolutions in my view unconstitutional, and calculated in their effect, as far as they could operate, to sacrifice the best wishes of this nation to the unjust claims and pretensions of a foreign power, I could not consistently with my principles continue for a moment longer the representative of a body of men, whose policy was so utterly abhorrent to what I conceive the sacred duties of every *independent American.*

In resigning my seat for the ensuing session, I felt the less reluctance at the sacrifice, from a full conviction upon my mind that no exertion of mine could materially aid the public service, and that the substitution of another member of the Senate in my stead would not in the slightest degree affect the general policy of the government. It is possible that my views of public affairs are too conciliatory for the temper of any party. But I hope there will yet be in Congress and in the nation, an energy of union sufficient to counteract all the personal interests, all the electioneering passions, and all the paltry geographical jealousies and envies, which constitute the repulsive parts of our political system.

I am altogether incapable of giving you any information upon which reliance could be placed, respecting the probabilities of the issue in which the approaching presidential election will terminate. I do not however imagine that the federalists will eventually take the part of Mr. Clinton. I presume they will support candidates of their own, though I know not who they will be.

There has been a meeting of the inhabitants of this town,[1] in which a petition to the President was voted, requesting him to suspend the embargo in whole or in part, and if he has any doubt of his power, to call Congress together im-

[1] August 9. The petition is in *The Repertory*, August 12, 1808.

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mediately. The alleged ground of this proceeding is the recent revolution in Spain.[1] And the first idea was to ask for a suspension of the embargo, at least so far as related to *Spain* and her colonies. The object was accomplished in this form at Newbury Port,[2] where a meeting was held on the same day with that in this town. But here some objections were urged in town-meeting by the opponents to the measure, which occasioned a different modification of the petition, and the request from Boston is couched in more general terms. It appeared to be understood as of course that the removal of the embargo must be succeeded by an immediate war, which was loudly and distinctly called for by the petitioners in town-meeting, but for which it is very apparent since the meeting, that the generality of the inhabitants of this town are not yet prepared.

If the people have not, as some of your friends think, virtue enough to bear that embargo, which was so necessary to preserve their dearest rights and their best interests, I know not where they will find virtue to bear that *war*, which must take its place. I have always considered that the true and only alternative was this — embargo or war; and I remain unshaken in that opinion. Now, although embargo is beyond all question a distressing calamity to this country, yet in comparison with *war*, either with Britain or France, I still esteem it as no more than the bite of a flea to the bite of a rattlesnake.

The accounts from Spain are indeed of high importance, though coming as they do through the medium of British representations, we must wait somewhat longer before we can distinctly discern their character. I do not think them sufficient grounds as yet for removing the embargo, and es-

[1] The "Dos de Maio" — May 2. See Henry Adams, *History*, IV. 300.

[2] Reported in the same paper with the Boston petition.

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pecially would it be in my opinion bad policy to remove it partially in favor of the Spanish Juntoists — a partiality which both France and Britain would be justified in resenting, unless we have evidence that the Spanish revolutionists have repealed the decrees against our commerce, which their old government had adopted.

It is however natural to indulge hopes from any material change in the state of national affairs, when the state from which the change occurs is very bad. The commotions in Spain, I love to hope, will at least give so much employment to France as to awaken interests there sufficiently strong to produce relaxation in the French decrees against our trade, and that these will be preceded or followed by like relaxations on the part of Britain. In both or either of these cases we shall be immediately released from the pressures of the embargo, without being driven into the war, and the great system of American neutrality in European wars, which Washington with so much difficulty established, and which it has always been so difficult to maintain, will be preserved from the most violent assault, and the most imminent danger to which it has ever been exposed. Yet so precarious are the effects which follow from great events, that I am expressing now rather ardent wishes than sanguine expectations. There is another and more unpleasant possibility, that Britain — of all the nations upon earth most prone to grow insolent upon success — instead of relaxing will be encouraged to persevere, and to enlarge upon her system of hostility to neutral trade. To this she has had and still has too much encouragement from this country, where party spirit and profligate ambition have so strong a predominancy over the spirit of patriotism, that in every insult and outrage we have suffered from England, some have been ready to support her, and where men of great passions and little souls have

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been ready to sacrifice the birth-rights of the country, because with them their political rivals and antagonists would also be sacrificed.

What the President will do upon the applications for removing the embargo at this time I know not. And if it should continue until Congress meet, the question will still be difficult and important, what shall be substituted in its stead. If a majority of the two houses could be obtained of your and my mind, the substitute might be found. But I pray to Heaven, and I confidently trust, that it will contain no ingredient of base submission to any foreign usurpation, no surrender of that inheritance which it is our sacred duty to transmit as we received it *unimpaired*. In God's name let us have no sanctions of our own admission for British impressments or British taxation.

I am, &c.

TO WILLIAM BRANCH GILES

BOSTON, 15 November, 1808.

MY DEAR SIR:

Accept my best thanks for your friendly and obliging favors of the 7th [1] and 8th, with the copy of the message. The regret which you are good enough to express at not meeting me in the Senate chamber, is at once so kind and so flattering that it will, I hope, furnish me an excuse for explaining fully to you, why you did not meet me there.

I presume it unnecessary to mention to you that my immediate constituents, the legislature of Massachusetts, had already provided that I should meet nobody there after

[1] Printed in Adams, *New England Federalism*, 203. For Giles' denial of any correspondence with Adams in 1808–1809, see *Ib.*, 34.

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the present session. Had mine been an ordinary case, this circumstance would not have induced me to resign the remainder of the term. But in the face of every former example, the election of a Senator was precipitated at the summer session of the legislature, instead of waiting for the usual time, which would have been in February next, and the *point* of unseating me was carried by such means, as, I suppose, are common enough among electioneering partisans, but manifest a much higher estimate of the *prize* at stake, than I have ever accustomed myself to bestow upon anything in the shape of public office. It seemed as if the salvation of the country, or what was substituted for the country, was thought to depend upon getting me out. But this was not all. The same legislature passed resolutions in the nature of instructions to their Senators, which I utterly disapproved, and which if I had retained my place, I should have held it my duty not only to decline supporting, but to resist to the utmost of my power. Placed thus in the dilemma between the respect due to the will, so strongly manifested by my special constituents, and the still more imperious duty to my country, under a sentence of official prescription by the former, and under the falsest and most odious imputations upon my motives, my conduct during the session that was approaching would either not have been that of a free agent, or it would have been at the hazard of sacrifices, personal and domestic, which upon full deliberation I did not think the occasion required me to incur. As to holding my seat in the Senate of the United States without exercising the most perfect freedom of agency, under the sole and exclusive control of my own sense of right, that was out of the question. But I was aware of the obligation upon a citizen, charged with a public trust, to remain at his post unless duly relieved, and that these were times when the obligation pressed with

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peculiar force. This consideration induced me long to hesitate before I decided upon my resignation, and the idea which finally turned the balance in my mind, was the perfect confidence I had in the firmness and wisdom of the Senate, as I knew it would remain composed at the present session. I knew the vast majority of that body would neither betray nor surrender the essential rights of the nation. I saw no danger in that quarter which could need any interposition, which it would be in my power as an individual member to present, and I could not flatter myself that I should be able to render any public service by my particular exertion, which could compensate for that self-degradation, to which I must have submitted in continuing to serve principals, who had no confidence in their agent, and whose measures were as abhorrent to his sentiments, as his conduct had been to theirs. It was a subject upon which I thought myself obligated to take no counsel, but that of my own heart and understanding, and my resolution was taken with great reluctance. For I should have rejoiced in the opportunity to have manifested to the last moment of my official life, my adherence to the principles upon which I had uniformly acted, and my zealous coöperation in the measures, adopted by Congress in harmony with the executive, to resist the outrages of both the great warring powers of Europe.

With regard to the public reproaches in pamphlets and newspapers, with which I have been favored, and which, knowing as you do their falsehood, your friendly concern has led you to see with regret, I shall confess to you that instead of seeing them, as perhaps a public man ought to do, with cool indifference, I have perhaps observed them with too much satisfaction. I have felt on this occasion a little of the spirit of martyrdom; knowing that my governing motives have been pure, disinterested and patriotic, I con-

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sidered every calumny cast upon me, as the tribute of profligate passions to honest principle. As the temper of a weapon can be ascertained only by a trial, I have been pleased to undergo that test, which no man of truly honorable purpose can escape. I have enjoyed all along that sort of support, which is beyond the reach of human slander, the support of my own conscious integrity. And I had the additional satisfaction of reflecting, that there existed even in the knowledge of others, particularly in yours, evidence that my public conduct had not been stimulated by any personal or selfish views. I had no doubt, that if any occasion should require it, you would not withhold that testimony, which might be exclusively in your possession, but I have never seen any reason for believing that it would ever be necessary for my justification.

In relation to future time, whether my fellow-citizens in this Commonwealth will ever again think such services as I can render them worth calling for, is for their consideration not for mine. Our usages do not authorize even those who are candidates for popular election to offer themselves, and if they did, there is no station in their gift for which I should feel the slightest inclination to solicit their suffrages. Whatever of profit or of honor there may be in the piping times of peace in the public service, I know that, in the present situation and prospects of this country, public office of any kind would to me be an oppressive burden, a post of little else than toil and danger, a thankless task from which I could anticipate nothing better, and might rationally apprehend a catastrophe infinitely worse than that which has befallen me. If then recovering from that delusion to which you refer, they should hereafter entertain a more favorable opinion of my intentions and of my capacity to serve them faithfully, the manifestation of their wishes will always be in their

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power, and neither difficulty nor danger shall deter me from any service, which they can demand and which I can render.

Let me again apologize to you for saying so much of myself. As the circumstances of the last session led me in the confidence which your character and situation had inspired, to unfold to you in the most explicit manner my personal views, or rather the absence of all personal views, in connection with my public conduct, I could not now resist the opportunity of opening to you with equal frankness the motives, upon which I have acted to the close of my career. And I will only add, that far from regretting any one of those acts for which I have suffered, I would do them over again, were they now to be done at the hazard of ten times as much slander, unpopularity, and (if that were possible) displacement.

In the removal to a private station, however, under a government like ours, a man, though relieved from the burden of responsibility, cannot cease to feel a concern for the affairs of the public. And while the independence and union of the nation are at stake upon the perseverance and energy of those who administer its affairs and of the people, no man with an American heart can stand by and behold the struggle with indifference. That we have gone thus far without being involved as parties in the war, and without the abandonment of one national right, is to me a subject of much consolation; but difficulties, obstacles and dangers seem to multiply as we advance, the pressure of foreign injustice continues with increasing aggravation, and combining with internal party spirit encroaches upon the resolution of the people, so as sometimes to make me doubtful whether they will continually prove true to themselves, through the long and severe trial they have to go through. The result of the recent elections has, indeed, upon the whole been highly

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to their credit, and promises a steadiness equal to my best expectations. The recent events in Europe, though I hope their ultimate consequences will be salutary, have in their immediate effects been unpropitious to us, by encouraging the insolence and injustice of Great Britain, without correcting that of France, and unfortunately we have too many among us who, to say the least, are ready to let the rights of the country go, provided they can see their political opponents overwhelmed in the same ruin.

The President's message has presented a state of things not unexpected though gloomy.[1] We have seen of the documents only a short letter from General Armstrong, and the two latest papers between Mr. Pinkney and Mr. Canning. You will not flatter yourself that these documents will silence the tales of French influence and partiality to Napoleon. The more absurd this story grows, the more rooted it will become in the soil of faction, and by the time it shall have been proved impossible, it will become an article of faith, to doubt of which would lead to the stake, if there were power to plant one.

I observe that your motion [2] in the Senate contemplates a further continuance of the embargo laws, while that of Mr. Eppes [3] in the House appears to prefer a substitute, which would partially open our trade. Between a choice of great evils, I trust that candor and patriotic deliberation will finally discern which is the least. I can scarcely venture to entertain an opinion, though if the non-intercourse could be carried into effect, I should incline to think it better

[1] Annual Message, November 8. A confidential message on relations with France was sent to Congress the same day. The former is in *Messages and Papers of the President*, I. 451; the latter in *American State Papers*, Foreign Relations, III. 242.

[2] *Annals of Congress*, 10th Cong., 2d Sess., 16.

[3] *Ib.*, 478.

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than that internal stagnation, which may send too much blood to the head. As change, it would in some sort disconcert opposition, by necessitating a change also in their batteries. But whether it would not increase the danger of war (the trap in which they still hope to catch the present administration) is [for] your better and wiser consideration. At all events I conclude with the sentiment which I know will meet with the most cordial sympathy in your mind, ANYTHING BUT SUBMISSION. I am, &c.

TO EZEKIEL BACON [1]

BOSTON, November 17th, 1808.

MY DEAR SIR:

Your obliging letter of the 8th instant, with a copy of the President's message at the commencement of the session, has come to hand. I see with much concern, though without surprise, that the prospect of obtaining anything like justice from the great belligerent powers of Europe, is no better than it was at the close of the last session. The alternatives mentioned in your letter embrace all the varieties of policy, between which a choice can be made. Among these that of declaring war I presume will have the fewest advocates. The wrongs we are suffering from both the scourges of mankind are so similar, that we would scarcely assume a foundation for the declaration against one, which would not equally require it against the other, and a declaration against either would place the country in a more dangerous situation, and the administration in a deeper perplexity to get along, than can arise from the present state of things. A war with England would probably soon if not immediately be complicated

[1] On the part played by Ezekiel Bacon in the repeal of the embargo, see Henry Adams, *History*, IV. 432–463.

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with a civil war, and with a desperate effort to break up the Union, the project for which has been several years preparing in this quarter, and which waits only for a possible chance of popular support to explode. A war with France would be extremely unpopular in every part of the Union, for it would be odious to all the friends of the administration, as directly contrary to the permanent interests and policy of the Union; and although it would exactly meet the wishes of the *tories*, yet it would not be with the view to support the administration in carrying on the war, but as a ground for pursuing further measures of attack against the administration itself. Nor is there any prospect that we should at the issue of a war with either power obtain any security for any rights, which we may not at least as reasonably expect by further perseverance in the pacific policy. *War*, therefore, I presume we shall not immediately have. Under the present state of affairs, to open our commerce with permission to *arm* in defence of the exercise of *neutral* trade, would be *war* in the result, though it would be upon a principle more exclusively *defensive*, than would be implied in a declaration. *Arming*, both public and private, was the system which in my particular opinion ought to have been adopted last winter, immediately after the embargo was first laid; but at that time I found very few of any party who thought with me, and now the season for it is past, even if it was then expedient.

The circumstances, too, of the present time render it much more questionable to my mind than it was then. The British Orders of Council were then not sanctioned by Parliament. The Milan decree, and I know not how many others equally savage, had not issued. The very determination of resistance then manifested might have deterred from these extremities of outrage.

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The British government had not been stimulated to perseverance, either by the Spanish and Portuguese diversion in their favor, or by the open and shameless support which they have found from faction in this country.

Arming now would be less efficacious as a measure for preserving peace, would lead more inevitably to war, and would have less support from the approbation of the people. The real choice, then, seems to be, between a continuance of the embargo, and its removal, with a substitution of total non-intercourse with France and England in its stead. For as to *submission*, I will not disgrace the Congress of this Union so much as to suppose, that this project will receive any countenance from either branch of the legislative authority.

Between the embargo and the non-intercourse system, under my present state of information I should strongly incline to the last. It would, indeed, incur a new hazard of eventual war abroad, but I think it would remove the risk of war at home for the present. I believe the embargo cannot possibly be continued much longer, without meeting direct and forcible resistance in this part of the country. The people have been so long stimulated to this forcible resistance, and they have been so unequivocally led to expect support from the State authorities in such resistance, that I do not think the temptation will be much longer withstood. If the law should be openly set at defiance, and broken by direct violence under support from the State authorities, it is to be considered how the general government will be able to carry it through. No doubt by military execution. But that will make civil war, the very point at which the tories are driving, and in the event of which it may at least be conjectured that they have already secured British support and assistance. For it is precisely in this form, an organized insurrection against the national government by State au-

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thority, that the project of disunion can alone be accomplished, and that this project has been in serious contemplation of those, whom you describe as being called in England Colonel P[ickering]'s party, for several years, I know by the most unequivocal evidence, though it be not provable in a court of law. To this project as matured, a very small party of the *federal* party is privy. The great proportion of them do not even believe its existence. They are not *prepared* for supporting this system, and the object of the leaders is, to take advantage of every circumstance which can enable them to work upon the popular mind to support the scheme of division by the necessary force. Now the embargo is, unfortunately, one of those measures, upon which the two public authorities may be brought in collision with each other, and that the *party* has been laboring with unwearied industry to produce that effect, the proceedings of our legislature, the instigations to resistance against the embargo laws on the pretence of their unconstitutionality, the countenance given to this paltry pretence by a STATE JUDGE [Parsons], and the connection between his extra-judicial opinions and the attempts at forcible resistance, which have already been made, and with the experiment upon the District Court at Salem, afford the evidence, which the most purblind observer cannot but observe.[1] A non-intercourse, it seems to me, would not be so liable to this species of opposition as an embargo. Another reason for preferring it is, that in the spirit of party, the faction is afraid of it. For among themselves, I know that they chuckle and exult as much at the operation of the embargo, as in public they whine and rave against it. They now feel perfectly confident that the embargo will not answer its purpose as a compulsory measure, and they hope to see the government so pledged to it, as not to be able consistently to

[1] Adams, *New England Federalism*, 223.

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depart from it. The non-intercourse would take away from them a great part of the two *impostures* by which they have been playing upon the jealousies of the people, that the administration act under the dictates of France, and that they intend the total annihilation of commerce.

I do not mean that it would entirely remove these despicable calumnies, for popular jealousy, like individual jealousy, will feed and thrive upon trifles lighter than air; but the machine would not work so well under the non-intercourse system, as they will under the continuance of the embargo.

I am aware that in reply to these observations there are many forcible reasons which may be alleged for *persevering*, precisely in the stand which we have taken. We are sure that will not produce war, for both France and England have avowed that they do not consider it as a cause of war. It would have the appearance of a more steady and determinate purpose, and it would not expose to foreign depredation that property, and to impressment and captivity those seamen, which have hitherto been preserved. Legislative deliberation, and mutual communication of ideas and information between those members of the executive and legislature, who concur in the pursuit of the same end, will doubtless shed on the whole subject a light, by which you will at last most safely proceed. That it may ultimately secure our peace, independence and union, I confidently hope and fervently pray.

The proceedings of our legislature, relative to the choice of presidential electors, will come before you at the proper time. They are unprecedented, and the precedent they exhibit is a very bad one. A suspicious temper would conclude that this mode of proceeding was adopted for the express purpose of producing a new collision between the State and the Union. This purpose, however, will I hope be frustrated.

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There may be a great constitutional question, how far the authority of Congress extends with regard to the rejection of votes returned from the States for the presidential election; and although I have no doubt that the State legislature on these proceedings have violated our own constitution, yet I should wish if possible to avoid stirring the other question upon these returns. The most prudent course in my mind will be to receive the votes, and count them, leaving it to the people of this Commonwealth, if they think proper, to vindicate their own constitution from the outrages of their own representatives. Of this, however, you, who will be on the spot and acting under the responsibility of your public trust, will decide with full consideration.

I have, my dear sir, according to your desire given you my opinions in the fullest confidence and sincerity. It will give me pleasure to hear from you as often as your leisure will permit, and with unabated ardor for the cause of our country, I remain, &c.

P. S. In using the term *tories* in this letter I mean to designate the partisans for a French war and for submission to Great Britain. They do not include the whole federal party, but they now *preside* over its policy. They are the political descendants in direct line from the tories of our Revolutionary war, and hold most of their speculative opinions.

TO ORCHARD COOK

BOSTON, November 25, 1808.

DEAR SIR:

Your obliging letter, with the message at the opening of the session, and a copy of the public documents communicated with the message, have been duly received; and also

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your motion to authorize arming by the citizens of the United States against British and French aggressions upon the seas.[1] I see with deep anxiety, though not with surprise, that no gleam of light is yet discernible on the horizon of our public affairs. If the whole nation duly felt the sense of its own dignity, and there were no partialities either to France or Britain, my concern would be incomparably less; for of nations as well as individuals, it may be justly said, that adversity is the trier of spirits, and we have grown so plethoric upon prosperity, that the other face of fortune was necessary to remind us that we are not exempt from humanity.

The policy of removing the embargo laws without substituting anything in their stead was so obviously absurd, that I did not expect it would find many supporters in Congress.[2] To say that every individual merchant and insurer should be left to judge of his own risks is very easy, but the government is bound to protect its citizens and their property upon the ocean; and when the merchants do meet with losses by the injustice of belligerent powers, they do call, and they have a right to call, upon the government of the nation to interfere and maintain their rights. The flood of memorials to Congress in the winter of 1805 and 1806, upon which the non-importation act and Mr. Pinkney's mission to England were founded, sufficiently demonstrate that the merchants know full well their right to call upon Congress to maintain their rights, and that they are ready enough to

[1] *Annals of Congress*, 10th Cong., 2d Sess., 495.

[2] "The feds in private conversation say, *all we have to do is to take off the embargo, and let every merchant take care of his own concerns* — that is, *submission*. I have argued with them that their plan of permitting trade to regulate itself in their sense, goes to render useless our Constitution, and indeed all government or all union of interests; and would place us in a worse state than we were at the time the country called for a constitution to nationalize us, and advance and defend our commercial rights." *Orchard Cook to John Quincy Adams*, November 10, 1808. Ms.

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exercise it, when the occasion will justify them. And, undoubtedly, they would do so again, if their trade were open, and the French or British should consequently take and confiscate their property. Nay, the very indulgence of Congress on opening their trade would be used by them as an argument for pledging the nation to support them; they would say, our property was secured by the embargo from foreign depredation; the Congress thought proper to remove that restriction; we sent out our ships and cargoes *on the faith of this permission*, and they have been seized and confiscated. We demand the aid of the national arm to recover and to shelter this property. To this claim what answer could be given? There could be but one alternative — War, or unequivocal confession that we have not, and can not pretend to the rights of an independent nation. It is, therefore, impossible to throw the whole burden of the controversy upon the calculations of mercantile speculation. The rights of the nation are at stake upon it as much as the property of individuals, and the Congress cannot abandon the one without sacrificing the other.

It is very true that every *nation* had a right to lay a duty upon exports, although by our Constitution the nation has forbidden the exercise of that right. But the questions between Great Britain and us do not in the least implicate a controversy of that principle. It is not an export duty, but a transit duty on property bound elsewhere, and which she forcibly seizes and carries into her own ports, that she now requires and levies; it is substantially and unequivocally *tribute* for navigating the ocean. To this I am not ready to submit, and I hope the nation will spurn at it with resolute perseverance.

I am glad you have had a satisfactory explanation from Mr. Madison upon points on which the British faction have

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endeavored to inspire jealousies between the northern States and the rest of the Union.[1] It is unquestionable that the points in contest between us and England are of commercial rights and commercial interests — points upon which the welfare and prosperity of New England more than that of any other portion of the continent depend.

29th November, 1808.

Since I began this letter, we have received the report of the Committee on Foreign Relations, which exhibits the state of our affairs in a very concise and lucid manner.[2] Its moderation and its firmness will be gratifying to all the friends of the country, and will not be without their effect upon some honest though timid and wavering minds. For my own person, I do most sincerely rejoice to find that the spirit of Congress appears so determined on the indispensable point of maintaining the national rights. And after the proper deliberation on the choice of means, I shall cordially acquiesce in those which may be finally determined upon. We shall probably have difficulty to get along here in peace, but the rights of the country *must not be abandoned.*

I congratulate you and still more the country upon your

[1] "I have lately conversed with Mr. Madison to whom I proposed all my doubts as to the partiality of administration to the South, and to agriculture, etc., etc. He gave me great satisfaction, and observed that the Randolphian faction had denounced the government solely because they favored commerce and its rights so much as they did. That all we contend for is principally the interests of the North — carrying trade, impressments, etc., in particular." *Orchard Cook to John Quincy Adams*, November 10, 1808. Ms.

[2] The paragraphs in the President's message on foreign relations were referred to a committee of which George W. Campbell was chairman. He sought in vain for guidance from Jefferson, and Gallatin prepared a report, which Campbell presented to the House November 22, and became known as "Campbell's Report." See Henry Adams, *Writings of Gallatin*, I. 435; *History*, IV. 370; and *American State Papers*, Foreign Relations, III. 259.

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reëlection, which I hear is ascertained. As long as our constituents will support us, we shall be in no vital danger from abroad. If the people abandon themselves, we shall sink together. But I trust better things from the fortitude and energy of my countrymen. We shall triumph at the last. I am, &c.

TO NAHUM PARKER

BOSTON, 5 December, 1808.

DEAR SIR:

I have this moment received your favor of the 25th of last month, inclosing also the report from the Committee on Foreign Relations. Before the appearance of this document, the inclination of my own opinion has been that the most expedient measure to adopt at this time would have been a *substitution* of total non-intercourse with France and England, *instead* of continuing the embargo. But I perceive the policy there recommended is superaddition of non-intercourse to the embargo. The reasoning of the report is so strong, that I do not see how it can be successfully controverted, but that there will be internal difficulties of execution in case of a further continuance of the embargo, which I hope will be thoroughly considered before the ultimate system shall be decided upon. Whatever shall be eventually determined will, I have no doubt, be strongly supported, even in our part of the country, but it must also be prepared to meet a strong and dangerous kind of opposition.

I have heard the rumor of an intention existing somewhere, to have a convention called at New Haven, to consider the expediency of a division of the States, or a secession of New England from the Union.[1] Knowing as I do that such a

[1] Morison, *Harrison Gray Otis*, II. 6.

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project has been heretofore seriously contemplated, and that it is now avowedly desired by some persons whom I consider as the mouth pieces of others less communicative of their designs, I perceive no absolute improbability in the report. Yet I rather believe the purpose not yet sufficiently matured. The policy of a separation is, indeed, avowed in some quarters, with a sort of ostentation which indicates rather an expectation that it will produce its effect as a menace, than a deliberate purpose for execution. They who use it in this view have not yet learnt the necessary political lesson, never to threaten where you do not intend to strike.

The documents transmitted with the President's message have produced an apparent effect upon the opinions of those, who have any candor left which their feelings will suffer them to exercise. The charges of partiality to France in the conduct of the Administration are, for the present, not so bold, and they are more discredited than they have been heretofore. Jealousy will not, however, be convinced, and prejudice will not weigh evidence. In some minds the forgery of Talleyrand's letter is more conclusive than all Mr. Armstrong's correspondence.

The greatest of all dangers to the Administration and its friends is that of internal dissension. The differences of opinion relative to the presidential election have contributed much to increase this danger. It is, however, still to be hoped that when all questions on the subject shall have been settled by the regular course of the Constitution, the candidates who have been found in the minority, with their friends and partisans, will be sensible of the common interest and common duty to maintain the cause of their country. If they firmly manifest this determination, I believe the country will not desert them. Union at the center will send forth shoots of vigor to every part of the circumference.

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Whatever difference of opinion there may be on the *system* to be adopted, when once resolved upon by the concurrence of the majority, there must be no hesitation or wavering to carry it into effect. All must concur to the extent of their power. The want of this hearty coöperation among its friends has already weakened the government infinitely more than the inveteracy of its open opponents. We must bear and forbear, we must conciliate and harmonize. Every man must set himself and his pretensions aside before the great interest of the nation. He must sacrifice the pride of opinion and the wish for safety by retreat. The cause is just before Heaven, the stake is the nation's right. The means are the best that honest intention and deliberate consultation can elaborate. Persevere, and you will triumph at the last.

I beg you, my dear sir, to present my kind remembrance to all those members of the Senate with whom I should have rejoiced to coöperate in the present crisis, as zealously and as honestly, as I did upon its approaches last winter. Released from the perils and from the honors of your situation, I look with the concern of sympathetic feeling on the responsibility with which you are still charged, and with the sincerest wish that your services may be successful and acceptable to your country. At any rate I can assure you from experience, that even to fail in rendering them acceptable is no subject of self-displeasure or regret, when the consciousness of right intentions and of exertions to the utmost of our means remains unaltered by the event.

I am, &c.

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TO ORCHARD COOK

BOSTON, 8 December, 1808.

DEAR SIR:

Since I had the pleasure of writing you last, I have received two of your favors, the last inclosing your reply to the resolutions of our legislature relative to the embargo.[1] For these papers, in particular for you own communications, I tender you my sincerest thanks. I will take the earliest opportunity of forwarding to you a copy of the pamphlet you request,[2] and if it is to be procured in town will send it by the same mail with this.

On the particular subject of your letter of 27 November it is difficult for me either to be totally silent or to speak with propriety. I cannot be insensible, nor can I refuse myself the pleasure of assuring you that I am not insensible, to the good opinion on your part of me, which is indicated in the course you have pursued, and in the wishes which you express. The divisions however which you intimate in the anticipation of the *election*, I trust and hope have not taken place. The great interest of the nation at the present moment requires harmony and conciliation among those,

[1] "The report and resolutions of a majority of the legislature have passed and been published since I conversed with you. This report contains doctrines, rather principles and opinions, which in my humble judgment are at variance with the rights, the honor, and the interests of the country. What do you think of meeting with two or three gentlemen to consult and consider whether it may be useful and advisable to express, either to the government or to the public, a counter opinion; and if so, to determine on the most eligible manner of doing it. This report, together with the Essex proceedings, appears to me to require animadversion and notice of some kind or other. I had thought of commencing with three or five gentlemen in whom confidence can be placed, and thence enlarging the circle as should be judged expedient." *William Eustis to John Quincy Adams*, November 26, 1808. Ms.

[2] *The Whole Truth.*

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who intend to maintain its rights. If the Vice President and his *particular* friends have wavered a little more than they could justify to the sternest principles of patriotism upon the recent system of the present administration, the successful candidate and his friends should recollect the *peculiar* situation in which Mr. C[linton] has been placed, and make allowances for the feelings of human nature. I do not think that the Vice President and his supporters are irrecoverably gone, and I wish that no just inducement should be given them to stray from the path of their country's necessity. Judge Anderson's [1] anticipation was certainly founded on inaccurate information.[2] I recollect with great pleasure the cordiality of agreement between his sentiments and mine on the public questions of the last session, and I beg you to present me kindly to his remembrance. As there can be no occasion for me to intimate what my feelings of justice towards Mr. C. would dictate on the case supposed, there must be affectation in the suggestion of them.

With regard to the other possibility intimated in your letter, there is perhaps still more of delicacy to be observed by me. I shall simply state to you that my principle of conduct with regard to official station always has been, and continues to be, that which philosophers teach us should guide our views of death — never to be desired, never to be feared — leaving all nomination and appointment to the constitutional organ, and reserving only to myself the right of answering as a sense of duty may direct to the call of the proper authority.

From the report of the Committee on our Foreign Relations,

[1] Joseph Anderson (1757–1837), now a senator from Tennessee, later an adherent of Jackson, and Comptroller of the Treasury, 1815–1836.

[2] Anderson had said the republican votes for Vice President would be divided between Clinton and Adams; and Cook, that the Secretary of State should be from Massachusetts.

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and from some other circumstances, I had been led to expect that the embargo would be continued; and although I see the thorns with which every departure from that system must be beset, yet I incline to think the course, which your last letter mentions as likely to be adopted, will be the most eligible. It will doubtless increase the immediate danger of foreign war, but it will diminish the dangers of internal commotion. In case, indeed, of foreign war, we must be blind not to perceive that there will be an internal foe to deal with, as well as the enemy beyond sea, a foe which, if circumstances should permit, will hang upon a non-intercourse or upon any *other* measure of defence, as they now do upon the embargo and the proclamation. Yet of the party which now countenances them in their treachery to their country, a great proportion will abandon them in the hour of extremity. The spirit of the nation, I thank God, is not, and will not be broken. But the passions of the people will be less dangerous to themselves with a vent upon to spend them abroad, than where concentrated upon themselves, as they must be by a much longer continuance of the embargo. The documents sent with the first message, the report of the Committee of Foreign Relations, and above all the unbroken phalanx of republicans on the three resolutions, have produced a manifest effect upon the public mind here.[1] I hope it will continue. But there must be some issue found for the restless spirit, and some guard against the desperation of want. Heaven grant you may find a safe one.

I am, etc.

[1] The first resolution in Campbell's report was adopted by a vote of 118 to 2· the second, by 84 to 30; and the third without opposition.

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TO WILLIAM BRANCH GILES

BOSTON, 10th December, 1808.

DEAR SIR:

I cannot postpone for a moment my thanks to you for the copy of your speech [1] on the resolution proposed by Mr. Hillhouse, to raise the embargo, and my still warmer thanks as an American citizen for the speech itself. If I must lament that in my native section of the Union, a concurrence of unfortunate circumstances has given prevalence to a political system compounded of ignorance and treachery to the rights of this nation, in the spirit of sincere piety I thank God, that able and successful assertors of those rights are yet found in other quarters, who will not suffer that disgraceful submission to foreign insolence and outrage, which I have been doomed to hear recommended by men, who still pretend to call themselves Americans.

The threats of resistance against the laws of the Union and of separation, which your subject called you to notice, will I hope counteract the dangers which they announce. The people in this quarter are in general deeply attached to the Union, and they have, as you justly represent, a profound veneration for the authority of the *law*. To counteract this sentiment, you know that the doctrine has been broached here that the embargo laws were unconstitutional, and as such not entitled to submission. The history of this doctrine, and the manner in which it was propagated until the decision of the district judge at Salem,[2] is perhaps not fully known to you. While you have been candidly informed of the regular gradation through petition, remonstrance and

[1] November 24. *Annals of Congress*, 10th Cong., 2d Sess., 93.

[2] Judge John Davis.

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legislative resolutions, to insurrection and rebellion against the Union, which are here avowed and recommended, you have not been told how important a step in the progress a judicial decision against the embargo laws was intended to be. You have not heard what means were used and by whom to bias that decision, nor how much disappointment has followed from that honest firmness and incorruptible integrity of our district judge. These are things of which little will be said, but whoever traces the *real* history of our advance towards resistance will not forget the *judicial* battery, which has been attempted to be brought into action, nor fail to perceive the effect with which it would have operated, if it could have been brought to bear. In speaking of the firmness and integrity of the district judge, and of the means used to bias his mind, I do not mean to hint at any *direct* attempt upon his honesty, but to a sort of influence which was certainly used, and which must have had its sway upon his judgment had not his good sense and his spirit been superior to every consideration of party management.

It is intimated to us that the decision on the motion of Mr. Hillhouse will not preclude a partial renewal of our commerce, after the substitution of other measures of resistance against France and Britain shall have been matured.

My opinion that upon the whole an opening of some sort to the humors as well as to the trade of the country must be made, continues and strengthens from day to day. The prohibition of trade with both belligerents will perhaps not be effectual to prevent it, but at least it will take away the responsibility of the government, and place it where they tell us it may safely be placed, exclusively at the risk of individual speculators. It may lead to war, but so may the non-intercourse as a superaddition to the embargo. Though the project of a New England confederacy will meet with

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many obstacles of which its advisers are not aware, yet I believe one of the greatest of them would be a *conductor* for the overcharge of electricity in the popular passions. A majority of our people are in that state of temper which will not *reason*, or hear reason; they only feel, and the prevailing party feed them with falsehood and suppress the truth, just as it serves their turn.

Some accommodation to this state of things I cannot but hope will be made, though God forbid that it should be at the expense of any sacrifice of our essential rights.

The newspapers will inform you of the death of our governor on Saturday morning.[1] It will make no change in our political aspect until our next annual election.

With great respect, etc.

TO SAMUEL LATHAM MITCHILL

BOSTON, 14 December, 1808.

DEAR SIR:

I duly received with great pleasure your favor of the 3rd instant. Recollecting with great satisfaction the harmony of political views, with which during the last and preceding sessions of Congress we had acted together, and that congeniality of literary taste and sentiment, which enabled me to derive so much instruction as well as entertainment from our occasional hours of social converse, I cannot but feel flattered with that substitute for personal communication, which in my present situation is offered me by your kind commencement of a correspondence by letters. I rejoiced also to find that my opinions, under the state of information which I can here possess, continue so exactly to correspond

[1] James Sullivan died December 10, 1808.

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with yours with regard to our public affairs. On Mr. Hillhouse's motion I rejoiced to find that the sentiment and the resolution of the Senate remain unbroken. In favor of his resolution I saw but one name which I could have hoped not to see thus recorded, and it gave me very peculiar pleasure to see your name still united to the majority.

At the same time I earnestly hope that some expedient will immediately be devised to remove the existing restrictions upon our trade, excepting all intercourse with the offending powers. There is certainly such a change of circumstances in the affairs of the world since the embargo was laid, that an accommodation to that change would be perfectly consistent with the policy upon which it was laid, and appears to be imperiously required by our own present situation. Its effects have been great, and on the whole highly beneficial. It has preserved us from at least a year of war, and from immense losses of property and of men. As a coercive measure upon the belligerents I never had any faith in it, nor do I believe in its efficacy now. I will not say it *cannot* much longer be executed. But if it can, it must be through difficulties and impediments which will aggravate the dangers and evils of our situation more than I am willing to hazard. You will not be surprised that these are my sentiments, when you recollect the resolution which I offered on the subject so long ago as last January.[1] The government have now a fair opportunity for changing their attitude of defence. But if this opportunity should be rejected, another may not present itself until it shall become a question of force between authority and obedience. As, therefore, I never could agree to the *submission* project of repealing the embargo laws, without substituting something else to maintain our natural rights, so I believe that the very defence of these

[1] Resolution, January 11, 1808, p. 187, *supra*.

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rights will best be secured by a change of expedient. I speak, however, with submission to better judgment, and with an unvaried desire to support at every hazard whatever measures shall result from the declaration of our national councils.

As the proceedings of my masters, the legislature of Massachusetts, last June satisfied me that I was very ill suited to continue the representative of their majority, and as I foresaw no possible public injury from giving them immediately the opportunity to be represented according to their own heart's desire, I resigned my place for the remainder of the term during which I might have kept it. But I ventured still to perform the duties of a member of the Library Committee until I had expended the sum, which remained in my hands for that object. I sent a box of books which I learn has been received at the library, and have furnished Mr. Nourse an account, which he considers as sufficiently vouched for settlement. As chairman of the committee I must beg your attention at the annual report to have the settlement of the account completed in form, so far as respects me. The discharge of the duties assigned to me as a member of this committee was among the most pleasing of my official functions, and almost the only one the release from which could be to me a subject of personal regret.

I beg you to present my respectful remembrance to the Vice President, to your colleague Mr. [John] Smith, and to any others of our old associates to whom it may be agreeable. Accept at the same time for yourself the assurances of my friendly regard, &c.

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TO JOSEPH ANDERSON

BOSTON, 15 December, 1808.

DEAR SIR:

Among the many sacrifices that I thought proper to make, in order to give my very worthy but not approved good masters an immediate opportunity of stamping on the Senate of the United States an express image of themselves, was that of the pleasure which I had so constantly and cordially enjoyed, in coöperating with you in the transaction of our public affairs, and in the extra-official confidence and free communication of sentiments which had supported and guided me through the perplexities and difficulties of the last winter — a confidence and freedom which I had flattered myself would be revived and rendered still more cheering to me in the increasing difficulties and perplexities of the present season. But when a majority of my immediate constituents had undertaken to instruct their representatives to act a part very unsuitable to my feelings, I could not refuse to myself the satisfaction of letting them know that I was as unambitious of performing such services, as they were of assigning them to me. To be the organ of such opinions as they had avowed would have degraded me in my own, far below the condition of a slave. To have encountered them as a Senator of the Union with the honest and indignant dictates of my soul would have been my duty, but to what end? When Harry the 4th of France consulted Sully on a prospect of marriage, which in the dotage of his lust he was prepared to solemnize with one of his mistresses, and showed him the written promise to that effect which he had drawn up, Sully without answering a word flung the paper in the fire. "Are you mad, Sully?" said the King to his bold but faithful min-

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ister. "Yes, Sire," was the reply, "and would to God I were the only madman in the case." If by flinging the resolutions of my constituents in the fire I could have saved them the *disgrace* of having pledged themselves to their contents in the face of the world and of posterity, I would have hazarded the reproach of madness or of worse to have redeemed them from their ignominious vassalage. But I could not, like Sully, defeat their purpose by withstanding their will. If I could not hide their shame, I felt that it was not for me to aggravate or proclaim it.

It is true, that I felt with extreme reluctance the obligation of abandoning the service which it might still have been in my power to render to my country during the remnant of the term that was left. But in estimating as highly as my conscience would allow my own importance as a member of the Senate, I could not forbear the question to myself, how will that body be composed, on the supposition that my own important self should be withdrawn from its deliberations. The moment the question occurred to my mind, that moment my resolution to resign was decided. Firm, deliberate and inflexibly patriotic as I knew five-sixths of that body would be on the trial, my extremest self-complacency could see nothing in the substitution of my successor for me but the loss of one vote to the country, and the gain of one vote to the opposition. If then I did abandon you, it was from the perfect conviction that you were too strong to need any assistance of mine. For be assured, if the odds had not been so unequivocally decisive, had the division of numbers been so nearly equal that in any probability a vote would have been of consequence in the questions involving the rights of the nation, highly as I reverenced the authority of my constituents, and bitter as would have been the cup of resistance to their declared will, I would not have yielded up

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my trust until the moment when it was to be taken from my hands; I would have defended their interests against their inclinations, and incurred every possible addition to their resentment, to save them from the vassalage of their own delusions. I did not think the occasion required this extraordinary exertion of my energy, and while I was determined never to be instrumental of such measures as they chose to dictate, I thought myself fairly authorized to indulge them in the benefit of an immediate change in their representation.

The event has shown that in my calculation of the firmness and magnanimity of the Senate I was not mistaken. The system of submission to British insolence and usurpation, which has been preached, and prayed, and resolved, and petitioned, and remonstrated, in this part of the country for the last eighteen months, finds in the Senate, thanks be to God, the same *invincible* spirit of resistance which it found at the last session of Congress. The will and influence of my constituents has had its full constitutional range, and they have had the best opportunity to manage their concerns in their own way. You have now had announced to you with due formality the process of resistance, which MAY BE pursued against your laws. So that at least if an attempt to divide the Union should be made, you will have no cause to complain of being taken by surprise. Now if I had remained with you, instead of threatening insurrection and separation, I would only have expressed my utter abhorrence of every such attempt and project, however colored and from what cause soever intended. My sentiments with regard to the Union are well known to you. John Smith and Aaron Burr were in my view my fellow-citizens, just as if they had been natives of Boston; and if any native of Boston, in pursuit of the same end which Burr and Smith were aiming at, should proceed as far in its execution, I would as far as my power

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extended treat him in the same manner, as I thought they ought to have been treated. I believe it will be better for you and for the whole nation to have men from this quarter who will prepare you for what they mean to attempt, than one who, feeling and believing that we have all but one common interest, could avow no other interest as representing this section of the Union.

We have at this time neither ears nor tongues for anything that comes from the seat of government, but for what concerns the embargo. Mr. Gallatin's letter to the committee,[1] and the bill reported in conformity to it, furnish materials to the disaffected, which they are using with great industry. For my own part I consider the bill as merely a project for discussion, which I have no idea of seeing pass into a law. If it should, it is my clear opinion that it will not be executed in this quarter of the Union by the ordinary process. Juries, judges and militia will all fail to perform their parts, and the bayonet will be as ineffectual to *execute the law* as the rest. You know that in saying this *my motive* is not that of intimidation or of opposition, but to tell you candidly the state of things here. Substitute a non-intercourse with both the offending powers as strong and effectual as you can make it, but open a passage for the imprisoned vapors. A non-intercourse may lead to war with England or France, but the extension of the embargo system to the measures recommended in Mr. Gallatin's letter will infallibly meet with direct resistance, which nothing but force will overpower. The project of Mr. Hillhouse's resolutions and of Mr. Gallatin's letter form to me the two extremes of possible policy, neither of which will meet the ultimate views of the legislature. Of unqualified repeal, that is, *submission*, it seems

[1] *Gallatin to Giles*, November 24, 1808. *Writings of Gallatin*, I. 428. The bill was introduced December 8.

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to me the very proposers in both houses are ashamed. From their British ground, they have been fairly driven. They now profess the will to maintain the rights of the nation, and confess the wrongs even of England. Meet them if you can upon their present professions. Guard against the *surrender* of our rights, but assert and exercise them again. Such was the inclination of my sentiment when Congress first met. Everything confirms me in it. No doubt the opposition will continue to every measure you may take. But it will be far less dangerous with a non-intercourse and a partial revival of commerce, than under the total interdiction of trade.

Let me hear from you as often as your leisure and convenience will permit, and believe me, &c.

TO ORCHARD COOK

BOSTON, 19th December, 1808.

MY DEAR SIR:

I have to thank you for your favor of the 4th instant, which I received some days since, but which various avocations of necessity have hitherto prevented me from answering.

My opinion that the embargo must be removed, (I mean partially, and after the substitution of other measures against the French and British decrees,) becomes more and more confirmed from day to day. It is much more strongly corroborated by the letter from the Secretary of the Treasury to the committee of the Senate, marking out the additional measures necessary for carrying it into effect, than it was before. Indeed the appearance of that letter, and of the bill founded upon it, rather leads me to expect a result of a different kind.

My observations in my letter to Mr. Bacon relative to

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arming were intended to apply merely to the solitary permission to merchant vessels. As to fitting out and equipping all the armed vessels we have, and building and equipping more, I remain of the same opinion I have always entertained. But if merchant vessels are permitted to sail armed under a non-intercourse system and under these belligerent decrees, it should be upon a plan like that of Mr. Dana's resolution,[1] by means of convoys and under cautious regulations.

I have never heard, except from your letter, of any convention of merchants in Boston agreeing to wait till 1st January, and *no longer*. I have heard of some such things as resolved upon by individual merchants in your district, but I hope the report is without foundation. As the embargo is unpopular, there is no doubt but that all the popularity seekers will drop from its support, and become the most violent declaimers against it. It will be the machine by which the turncoats will reconcile themselves to the majority. It seems to me that there is no measure by which the administration could *lose* so many of its friends in this quarter, as by an unyielding adherence to this particular restriction. The projectors of *Disunion*, of *French war*, and of British alliance, will take such advantage of the current as the time will allow. *They* certainly will not succeed either by the *wisdom* or the *patriotism* of their policy. But the inflexibility of the ruling party at Washington, if they do not exhibit some token of accommodation, will play the game into their hands, infinitely better than they can play it for themselves.

I have seen a short minute of your speech on the subject, and hope soon to have a full report of it. We have received here a great plenty of speeches in pamphlets, but all, excepting that of Mr. Giles, on the other side of the question. When I see one gentleman delivered of a long pamphlet to

[1] *Annals of Congress*, 10th Cong., 2d Sess., 510.

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prove that all our difficulties are owing to the new importation act; another, gravely demonstrating that it is because we did not chastise the Spaniards for seizing the Kempers,[1] and a third, calculating by decimal fractions and the infinite series, how many miles of free trade would be left us, if we would but live upon them as the Lazarus under the table of Britain, I cannot but remember a fable which I learnt in my spelling book, when a child, of the tradesmen who consulted together on the defence of their town when it was besieged.

The blacksmith was for iron, the joiner for wood, and the currier insisted that for the walls of a fortress there was nothing like leather. We are informed of the decision on the first resolution reported by the Foreign Committee, and I am very glad that so many of the members, who made such long speeches against it, finished by voting for it. For although I know that this vote pledges no man to vote for any special measure of resistance, yet it is much to see that on being brought to the test, no man in Congress dares by his vote justify the outrages of Great Britain, as we see it hourly attempted out of doors. The two gentlemen who voted against the resolution had, no doubt, reasons satisfactory to themselves. I am persuaded it was not that they thought we ought to submit to the decrees either of England or France.

We have at last really lost our governor, who had already been repeatedly buried in the newspapers, and who has in fact been several months dying. Your letter arrived too late for me to take any step on the subject which you mentioned with him. Of the present chief magistrate [2] I presume you have no doubt.

Your reply has not been attacked in such a manner as to

[1] *American State Papers*, Foreign Relations, II. 684.

[2] Levi Lincoln.

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need any defence. I have heard it mentioned with commendation by many whose party feelings by no means accord with it. You will readily believe it agreed with my sentiments. I could have wished only, that the unconstitutionality of a State legislature ever requesting the representatives of the people in Congress to use their influence this or that way, had been exposed a little more at large. For I hold these *requests*, which sound so much like commands, to be utterly inconsistent with the principles of the Constitution both of the Union and of the State, and there is danger, if they are not checked in time, that they may acquire a sort of prescriptive authority. I was very glad, therefore, to see you asserting your constitutional independence and reminding the legislature that you were not responsible to them.

There is this evening a meeting of republicans friendly to the government in the several wards of this town. Their object is announced to be for the purpose of expressing their sentiments of adherence to the administration and its measures. This movement, I suppose, will not stand alone. But how it will be followed up or to what effect I do not know.

What is the foundation of the report that the *tribute* or export duty under the British Orders of Council is abandoned? If true it will somewhat change the aspect of affairs. Not that it can reconcile us to the other parts of these orders, but that it will be a great step towards their total abandonment. That and a single defeat in Spain would bring down the tone of Mr. Canning, whose sarcastic insolence, as Mr. Giles so justly calls it, will I have no doubt yet be scourged into himself. In Spain, however, the present prospects are very much in their favor.

I am, &c.

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TO EZEKIEL BACON

BOSTON, 21st December, 1808.

MY DEAR SIR:

It would certainly be more safe and prudent for me to imitate that reserve, which you notice as marking the communications of some other friends at the present crisis. Thus much I may say with perfect security.

The path of the nation is so thickly set with difficulties and dangers, the choice of practicable measures is confined to evils all of such magnitude and terror, that every man, not bound by the duties of a public trust to contribute in devising expedients to procure public relief, will most naturally shrink from the utterance of an opinion, what ought to be done. Like the Irishman on board the ship, when called to aid in extinguishing the fire, one feels an irresistible temptation to answer, "I am but a passenger." Yet so long as the reflections of my mind, or the observation I have opportunity to make, are acceptable to you, I shall not withhold them; for in truth it is a time when the passenger must lend his hand as much as any of the crew, and in giving to you freely my thoughts, crude and undigested as they are, I must add that you can scarcely give less confidence to them than I have in them myself.

I have observed, as far as newspapers and pamphlets have furnished opportunity, the course of deliberation both in your house and in the Senate since the commencement of the session. Though I will not pretend to deny that I have my partialities of sentiments, impelling me to concur with one side and to differ from the other, I have anxiously sought from the arguments of both a *footing*, upon which I could think it possible for the nation to stand. Together with

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much crimination and recrimination, which perhaps could not well be avoided on either side, but which I regretted to see, because I thought it could answer no good purpose, and must naturally inflame those mutual irritations which should rather be soothed, I have found on both sides some leading ideas from which public benefit might perhaps be derived. The excessive precipitancy with which our New England federalists made their charge upon the embargo at the opening of the session had, I am afraid, a tendency to rouse the spirit of counteraction beyond the tone of cool deliberation, and to prepossess too much the friends of the administration against the measure under any modification. The report of the Committee of Foreign Relations (of which I think you were a member,) was in my opinion a production of uncommon excellence, but it contained a concession, upon which the federalists seized with the convulsive instinct of drowning men to save themselves from the infamy to which their system of submission was hurrying them. The concession to which I refer is, that a permanent embargo would be an abandonment of the very right for which we are contending. For this primary idea they are indebted to yourselves. But they have turned it against the embargo system with some address, and with considerable effect. The idea is substantially true, and to my mind affords an unanswerable argument for *substituting*, as speedily as possible, something instead of the embargo.

The most decisive reason in my mind for this substitution is that which I have heretofore suggested to you. The law will not be executed. It will be resisted under the organized sanction of State authority. Already, notwithstanding the decision of the district judge on the constitutionality of the existing laws, the juries will not convict for violations against them. Constitutional objections will recur with tenfold

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greater force against the contemplated additional laws, and you will soon find State judges undertaking to decide these questions *in their way*. Consider the complication of the case: Two or three *file leaders* of disappointed ambition, hopeless of consequence under the present national union and building their castles of personal aggrandizement upon a separation and a British alliance. Under these file-leaders, an organized concert of *banks* and other *monied corporations* holding great numbers of secondary characters in a state of dependence, by the return of discount days, and thus commanding their inaction, if not their assistance. A legislature perfectly under their guidance. A State judiciary, of which you must think what I cannot say. A militia so commanded as at least not likely to oppose much obstacle to these views, and a *plan* long since formed to seize the first favorable opportunity to divide the State, and set up a New England confederacy. What an engine in the hands of these people is a system of restriction, which turns all the political humors of your political body inward. Gentlemen in Congress have said they are unwilling to *suppose* the case of forcible resistance to the laws, but that if it should happen, they would use the cautery and the knife. But if you continue and aggravate these laws, you must suppose the case or you will impose them under an erroneous view of the state of things. When Caesar was approaching with his army from Gaul, Pompey refused to suppose the case, that he would cross the Rubicon, and for thus refusing to suppose the case, was utterly unprepared to oppose him when he came. It is easy to talk of using the cautery and the knife, more easy than to use them in reality. But it is the very necessity of using them which I would at almost any other hazard avoid.

Let not the administration flatter itself with much support from those whom it considers as its friends. Many of them

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were friends of the summer, friends as long as favors were to be obtained, and the popular gale blew with them. I know that some of the most eminent among them are wavering, to say the least. I know that some of them are men, who connect with all public considerations much calculation for themselves. The day when these will fail, will be precisely the day of trial. Excuse me for saying thus much. It is not for the purpose of exciting distrust, but to state the actual condition of things, upon which all useful public council must be founded.

I feel the more anxious that the determination to revive commercial enterprise should now be taken by the government, because it will now be a voluntary act, because all the objects for which the embargo was avowed to be laid have been obtained. We have secured all the property which was exposed, and we have made such use of the measure in negotiation as was intended. It cannot again be used in negotiation, and although it may still preserve property from capture, it can no longer save any from sudden and unexpected rapine. If persisted in now, I see not when the government can consistently abandon it hereafter. As *coercion* either against France or England I cannot believe in its efficacy. It affects their interests no doubt, but nations which sacrifice men by the hundred thousand, and treasure by the hundred millions in war for *nothing*, or worse than nothing, pay little attention to their real interests. It is said to have been the only error in the political character of John DeWitt, that he supposed France and England could always act upon measures according to their effect upon their *interests*. There can be no greater error than to proceed upon such calculations. Nine times out of ten you might more safely reverse the rule, and conclude that if a measure is clearly for the interest of the nation, the government will reject it.

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If it be true that the British government have already abandoned the transit duty, they will not venture to carry the remainder of their Orders in Council into effect. If, after we open our ports, the British should take and carry in our ships, the resentments of the sufferers and of our people will fall much more upon them and less upon our own government, than they now do, and if they should proceed in their career of violence, we have yet other resources for indemnifying the losses which our people might sustain and for checking the execution of their system. One outward effect of our present situation is, that by securing our commercial capital from the operation of the British orders, we take away all their practical mischief, and of course much of their odious character. We render the orders themselves a dead letter, but our own restriction takes place of all their prohibitions. Now if we let our merchants go to sea again, if the British take and confiscate their property, the passions as well as the reason of our people will act against them. If they do not capture, it must be because they will not dare to give their system full effect.

I am aware of the powerful arguments which are urged for adhering precisely to the embargo system, and I am convinced that if such should be the final result, it will be decided with the best intentions. My best wishes will be with you, and a disposition to make every allowance for the difficulties of the choice, which I know to be just and necessary. I am, &c.[1]

[1] The fact of this correspondence became known and gave occasion to newspaper comment. "The democratic representatives from Massachusetts have received a letter from Mr. John Quincy Adams, announcing to them that the embargo must be given up, or democracy dies forever in the east. Mr. Story and Mr. Bacon have taken the alarm, and are preparing to *discover* that this wise and powerful measure, 'however honorable to the sages with whom it originated,' as the former gentleman has said, is not so coercive upon foreign powers as those sages had led them to

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TO WILLIAM BRANCH GILES

BOSTON, 26th December, 1808.

MY DEAR SIR:

I received your very obliging favor of the 17th instant, with a copy of your second speech on Mr. Hillhouse's proposed resolution. For the notice you have taken of myself personally I beg you to accept my thanks. For myself, I believe I shall never think Mr. Pickering's suspicions or insinuations against me deserving of any sentiment more earnest or active than contempt.[1]

believe. There are many strong indications of an approaching rebellion against 'the anti-commercial system of Confucius the Younger,' in a quarter where nothing but the most abject submission was expected." *Freeman's Journal*, quoted in *New-England Palladium*, January 10, 1809.

[1] "I have designedly delayed answering your friendly and interesting letter of the [ ] until I could accompany the reply with some observations, I felt myself bound to make in your justification a few days since. Indeed my principal object in rising was to defend you against the most illiberal and unmerited reproaches. I wish I may have performed this agreeable task to your satisfaction; if I have failed of success, it was not for the want of good intention." *William B. Giles to John Quincy Adams*, December 9, 1808. Ms. Pickering made a speech on Hillhouse's resolution, November 30, in the course of which he seems to have reflected upon Adams. The printed report makes no mention of Adams, but the remarks directed against him are those printed on page 185 of the *Annals of Congress*. In reply Giles said, December 2:

"I should not have taken the trouble of this examination, if the gentleman from Massachusetts (Mr. Pickering) had not availed himself of this occasion to assail the reputation of his late colleague (Mr. Adams) — a gentleman who represented the State of Massachusetts with so much honor to himself and advantage to the State and nation; upon a point, too, in which the gentleman here present has put himself so clearly in the wrong, from his own showing. I had hoped, Mr. President, that the gentleman would have so far restrained his feelings as to have permitted this gentleman's retirement to have shielded him from these unmerited reproaches; but it now seems that no delicacy of situation can procure an exemption from the inveteracy of the gentleman's passions. This cruel attack has imposed upon me an indispensable obligation to defend this absent gentleman; and it has been principally this circumstance which has driven me again most reluctantly into this debate.

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It was, indeed, of importance to him to crowd upon the world, if he possibly could, the falsehood that the British Orders of Council were not among the causes of the first embargo act, because he had suppressed all notice of them in his first incendiary pamphlet, and because I had exposed the disingenuity of his artifice in that suppression. The fact is as I have publicly stated; but it is also fact, that I should have voted against the first embargo act, had it not been for the inofficial account of the Orders of Council which was contained in the *National Intelligencer* of the morning when the message came, and for the express recommendation from the executive. General Smith was chairman of the committee who reported the act, and I am persuaded that he will recollect the discussion we had before I agreed to the report, in which I expressly stated to him and the committee, that I did not think the two papers communicated with the message were sufficient to justify the measure of laying an embargo; but that as the accounts in the papers from England and the information brought by Dr. Bullus were of so alarming a complexion, and as the President had thought fit to recommend the measure expressly, I presumed he must

Sir, I can attest, and now do attest, with great pleasure, the disinterestedness and purity of the motives which dictated that gentleman's (Mr. Adams) late political conduct. As to its wisdom, that is matter of opinion, and now in a course of experiment; but as to his exemption from all views of personal aggrandizement, I here assert that fact, upon my own knowledge and my own responsibility, as far as can be warranted by the most explicit and unequivocal assurances from the gentleman himself; given, too, under circumstances which render their sincerity unquestionable. It gives me great pleasure to defend this absent gentleman, not only on account of his innocence of these reproaches, but on account of his merits, his virtues, and his talents, which, in my judgment, place him on so high a ground as not to induce a wish, on his part, to shrink from any comparison with either of the five worthies of Massachusetts, of whom we have been informed by the gentleman (Mr. Pickering)." *Annals of Congress*, 10th Cong., 2d Sess., 219. See also, Adams, *Memoirs*, February 2, 1808.

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have intelligence which, without being such as he could officially communicate, was sufficient for deciding upon this step as a precautionary measure. I said nearly the same thing in the Senate itself upon the debate there, which I presume is within the recollection of all the members present at the time, who had ears to hear any sound, but those which chimed with their own passions. Mr. Bradley I am sure will recollect it, for I remember he immediately afterwards told me that I had as exactly expressed his sentiments on the subject, as if he had spoken them himself.[1]

Indeed when I first saw in the newspapers this pretence raised, that the British Orders of Council were not known in the United States when the first embargo law passed, I should have been astonished at its *impudence*, could I have been astonished at anything in the workings of party spirit. And now, when I see members of Congress laboring with burthens of sophistry to prove that those orders were not known, because they were not *officially communicated*, I seek in vain for any line of discrimination between the principles of such men and those of their lowest drudges in the public prints.

The course of policy which is intimated in your letter, as in your opinion the most advisable, corresponds in the main with my own sentiments. The impossibility of carrying the embargo laws into execution, even to the extent they have been hitherto, becomes more certain from day to day. Your argument in the first speech, that in our country all the constitutional checks are upon *deliberation* and not upon the *execution* of the laws, is certainly true, and the distinction is marked with an accuracy which has not escaped the notice of reflecting men, even in this quarter. But there may be impediments to execution besides those known to the Con-

[1] See note, p. 168, *supra*.

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stitution. Our district court has been sitting six or seven weeks here and at Salem, trying breaches of the embargo laws, and I believe not one case has occurred in which the jury have found a verdict against the defendant.

The system of non-intercourse and prohibition contained in the second of the three resolutions which have passed the House of Representatives, will for the present be less unpopular than the embargo, if substituted in its stead. But if it should lead to war with Great Britain, it will be rendered equally odious in a very short time. Indeed, whatever the federalists in Congress tell you, when pushed into a corner about maintaining and defending the *right to navigate the ocean*, you may rely upon it, they mean practically to defend it only against France. Against Great Britain they will defend and maintain NOTHING. A thousand blustering speeches will never explain their principles like their conduct in the affair of the *Chesapeake*. Mr. Pickering's worthies in that case openly maintained Berkeley's right to search our national ship for *deserters*, and if the British government had not abandoned that pretension of their own accord, Pickering would now be telling you what the British had to say on their side of the question, and furnishing you with cases and counter-cases, and French ordinances and examples of French piracies, to justify the British doctrine which, he would tell you, to *negotiate* about, as he does on the subject of impressment and of colonial trade, all which arguments and authorities he would get from the same oracle to which he went for his ordinance of Louis 14th, (which never had any application to colonial trade,) in order to countenance the British rule of the war of 1756. I know that *oracle* as well as Mr. Pickering, probably much better. I know him capable of furnishing argument, authority, and precedent for any degree of submission to British LAWS. But for the

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defence of any right whatsoever which a British minister shall contest, this nation must look elsewhere.

I say this to you, because in opening to you the principles of these men, I tell you the principles which will govern the conduct of this State. Our legislature is in their hands; at our next annual elections they will have the whole government at their disposal. Far from lending any aid to the support of national rights against *Great Britain*, they will counteract as much as they can every measure to that effect, whether in peace or in war, and according to every present appearance they will carry the State with them.

I need not tell you how opposite to their system my sentiments are, but the popular current in this State is entirely with them. The sources of their influence are numerous and powerful, and there is but one possible motive which can deter them from proceeding to the last extremities, in case of a war with England. That motive is *fear*.

They are as selfish and as timid as riches can make them, and in the hour of danger will shrink from their own doctrines, leaving bolder and more desperate characters to take their places.

Whatever course may be finally adopted by the national legislature will, I doubt not, find warm and strenuous supporters in this part of the Union. But they will in all probability be the minority, both in the State and its legislature. You may perhaps know better than I do, the individual characters of weight and influence, upon whose *steadiness* reliance can be placed. All my personal and family connections, and I might almost say acquaintance, in this quarter are federalists, among whom those who think as I do, and they are many, dare not avow it. The wisdom of my late conduct, as you justly observe, is in a course of experiment, and such is the nature of the trial that here I have not a single

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friend, who is willing to risk the chances with me upon the ultimate issue. The friends of the administration here have heretofore been my political adversaries, and my intercourse with them has naturally been not very intimate. There are some of them who, I have no doubt, will adhere to their principles, through good report and through evil report, but some holiday partisans will perhaps discover themselves in the day of difficulty. For myself so deeply do I feel that the question of our national independence is at stake, that as an individual citizen, I could ask of Heaven no higher blessing than that of laying down my life in the cause, if I could thereby contribute to its success.

I am, &c.

TO WILLIAM BRANCH GILES

BOSTON, 16th January, 1809.

DEAR SIR:

I duly received your favor of the 25th ultimo, and offer you my best thanks for your obliging attentions to Mr. Welles and Mr. Sumner, the latter of whom is a member of our legislature, and in the majority.

I have, perhaps, still greater motives for concern with regard to the probable proceedings of our legislature at their approaching session than yourself. Disapproving as I did what they have already done in opposition to the policy of the nation, the steps which they will probably take next are not likely to be more suitable to my sentiments. The general disposition of the people here, I think, is cooler, than it was just before the meeting of Congress, and those, whose object has constantly been to stimulate and inflame the public mind, are resorting to small expedients to keep up the tone of temper in their followers, which is necessary for their pur-

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poses. An attempt was made in the legislature of New Hampshire to pass certain violent resolutions, which failed by a large majority, many of the federal members voting against them. This measure I have some reason to suppose was not brought forward without consultation with *head-quarters*. Its failure is a strong indication that many of the federalists begin to perceive the danger of the ground to which they are thus drawn, and may possibly moderate the proceedings here. Still I have no doubt they will be violent.

I have also received your favor of the 5th instant, inclosing a *Monitor*, with your speech in Senate on the passage of the bill for enforcing the embargo. It will be printed here with the corrections from the paper itself, and I wish it may contribute to reconcile some of our citizens to the measure.

I had observed in the newspapers Mr. Lloyd's motion for the production of all the informal correspondence with Mr. Rose, but did not understand its object until your letter explained it. If that motion should prevail, it might perhaps be advisable to pass another resolution calling upon every member of Congress to reduce to writing and authenticate under the solemnity of his oath Mr. Rose's informal correspondence and communications with him, and reciprocally his informal correspondence and communications with Mr. Rose. Perhaps in that case you might discover what Mr. Rose *brought in his hand.*

You will have been informed that two instances of forcible violations of the embargo laws have occurred at the two extremities of our sea coast within this Commonwealth. The district court after sitting seven or eight weeks, and trying upwards of forty cases, has at length adjourned. Not one instance has occurred of a conviction by jury, and finally one of the jurymen is said to have declared, that he never would agree to convict any person under these laws, *whatever*

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might be the facts. The judge has been firm and decided in support of the laws, as far as his authority extended.

I expect to leave this place for Washington the 25th instant, to attend the Supreme Court of the United States upon business of a professional nature. While there I shall pay my respects to you in person, and in the meantime remain with the highest esteem yours. [1]

TO LOUISA CATHERINE ADAMS

WASHINGTON, 5 March, 1809.

We have at length got through the argument on the cause for which I came here. It was finished yesterday after having taken up nearly four days. The opinion of the Court will probably be given in the course of the week and my intention is to leave this place tomorrow week, which will be the 13th. I depend therefore upon the pleasure of seeing you again at latest in three weeks from this day.

The oath of office was yesterday administered to the new President in the chamber of the Representatives. He delivered a short speech, which you will without doubt see in the newspapers before you can receive this letter. It is in very general terms, and was spoken in a tone of voice so low

[1] "Public affairs continue to be much perplexed, and the prospect is still very gloomy. The House of Representatives have voted by a large majority that the embargo shall come off the 4th of March; but having heretofore resolved against submission, they are now to provide something instead of the embargo, and what that shall be they cannot agree upon.

"They talked of issuing letters of marque and reprisal, but they have now decided against that. They talk of authorizing the merchants to arm their vessels, but neither will that succeed. They now talk of non-intercourse with France and England, of excluding armed vessels of all nations from our ports, of raising 15,000 men, of borrowing ten millions of dollars. It would be passing strange if they should finish by doing nothing at all." *To Louisa Catherine Adams*, February 8, 1809. Ms.

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that scarcely any part of it was heard by three-fourths of the audience.

The body of the House was excessively crowded and the galleries were equally thronged, which gave it altogether a very magnificent appearance. The city was very much crowded with strangers, and I believe I may say without exaggeration that in the course of the day yesterday I saw more people than in the whole time I have ever been here.

Immediately after the ceremony was performed the President and his lady received company at their own house. I paid my visit with your mamma and Mr. and Mrs. Hellen. It was not at the President's house, which Mr. Jefferson has not yet left. He was with the company who visited his successor.

In the evening there was a ball at Long's on the Capitol Hill, the house which last winter was kept by Stelle. The crowd there was excessive; the rooms suffocating and the entertainment bad. Your sister Hellen literally took me with her, for I should not have gone but at special invitation that I would attend her. The President and his family were also there, and also Mr. Jefferson. I had some conversation with him in the course of the evening, in the course of which he asked me whether I continued as fond of POETRY as I was in my youth. I told him, yes; that I did not perceive I had lost any of my relish for good poetry, though my taste for the minor poets, and particular for *amatory verses*, was not so keen as it had been when I was young. He said he was still fond of reading Homer, but did not take much delight in Virgil.

Congress you know have broken up, after repealing partially the embargo after the 15th of this month, and totally at the end of the next session of Congress, substituting a non-intercourse with France and England to commence on

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the 20th of May. I believe that nothing better upon the whole could have been done, though in Congress it does not suit the views of either party. My time, my reason, and my feelings, have been so much engross'd by the business which brought me here that I have neither examined nor felt much in relation to the public.

The Senate are to continue in session two or three days. Principally for the purpose of receiving nominations of the heads of departments. Report announces very confidently who they are to be, and adds there has been some perplexity in fixing upon them. It had been determined that Mr. Gallatin should be Secretary of State, Mr. R. Smith Secretary of the Treasury, Mr. Hamilton of S. Carolina Secretary at War, and Dr. Eustis Secretary of the Navy. But it is understood that the nomination of Mr. Gallatin to the Department of State would have met with such strong opposition in the Senate that it was doubtful whether the appointment would be confirmed. The arrangement therefore now is changed, and Mr. R. Smith is to be the Secretary of State, Mr. Gallatin remaining at the head of the Treasury. Dr. Eustis is certainly to be Secretary of the Navy. . . .

I saw in the newspaper the paragraph to which I suppose you allude, admonishing the aspiring young federal members not to presume as representatives of the people to have any opinions of their own. But I should not have suspected whence it came nor whether it was directed without the intimation in your letter. . . .

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TO LOUISA CATHERINE ADAMS

WASHINGTON, 9 March, 1809.

. . . . . .

I have now finished as much of my business as I suppose can be done during the present session of the Court. They have, however, not yet decided upon any of the questions in the causes for which I was engaged. I shall not wait for their decisions certainly longer than next Wednesday, the 15th.

On Monday morning Mr. Madison sent his nominations to the Senate. The heads of departments are as I wrote you they would be. He nominated me to go to Russia.[1] But the Senate took no vote on his nomination. They pass'd a resolution that it was inexpedient or unnecessary in their opinion that a minister should be sent to Russia. Mr. Short had some time since been nominated by Mr. Jefferson and the nomination rejected, as was said, because the man was disliked.[2]

I believe you will not be much disappointed at the failure of the proposition to go to Russia. In respect to ourselves and to our children it would have been attended with more trouble than advantage. I had as little desire as expectation of that or any other appointment; and although I feel myself obliged to the President for his nomination, I shall be better pleased to stay at home than I should have been to go to Russia.

[1] See Adams, *Memoirs*, March 6, 1809.

[2] Jefferson had appointed William Short, minister to Russia, August 29, 1808, on a special and not a permanent mission. The Senate was not in session, and the formal nomination was not laid before it until February 24, when "with an unexampled precipitancy" rejection followed, and without explanations, greatly to the mortification of the President. On entering office Madison nominated Adams, but the nomination was not acted upon. *Jefferson to Short*, March 8, 1809, in *Writings of Jefferson* (Ford), IX. 249; Henry Adams, *History*, IV. 465.

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The Senate finished their session on Tuesday. The members of both houses are almost all gone, and the city has again the appearance of solitude, with the exception of the attendants upon the Supreme Court. It forms a contrast to the bustle and crowd of the inauguration day, when it is said there were ten thousand strangers here. This I believe, however, is exaggerated. . . .

The embargo you know is to come off in part the 15th of this month notwithstanding Mr. Quincy's predictions. It is to be entirely repealed from the end of the next session of Congress. All the federal members but two, however, voted *against* this bill for repealing the embargo. . . .

TO SKELTON JONES [1]

BOSTON, 17 April, 1809.

SIR:

On my return home a few days since, after an absence of two months, I received your circular letter dated in August last, but which had been received at my house only a few days before my return.

The objects of inquiry contained in your letter are so extensive, and at the same time so minute, that it would require a volume larger than that which you propose to publish to give you satisfactory answers relating to them. So far as your intention may be confined to the particular history of *Virginia*, the information which it would be in my power to furnish would indeed be extremely scanty. But with the

[1] Who had contracted with the administrators of John Daly Burke to complete the latter's *History of Virginia*. The fourth volume was not published until 1816. This autobiographical sketch was printed in the *Portfolio*, April, 1819. It again appeared in a pamphlet issued in 1824, with the "Letters of Tell," originally printed in the *Baltimore American*.

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public affairs of the Union, of which the State of Virginia forms so great and distinguished a part, I have been personally conversant from the earliest period of the war of our Revolution to the present day. Neither my leisure nor patience would be sufficient for the memoirs of my own times, which a proper answer to the first branch of your inquiries would demand, and although I should very cheerfully communicate anything within my particular knowledge and which might also be within the general scope of your subject, yet I have no index which can point me specifically to any anecdote or event, which would be included within the compass of a moderate letter, and which would be appropriate to the work upon which you are engaged.

Of the inquiries relating personally to myself the greater part are such as may be answered without great difficulty. If "party prejudice and political animosity" are, as they should be, banished from your work, you will also doubtless think it equally part of your duty to exclude the partialities of egotism, and to detect the inaccuracies so naturally flowing from self-delineation.

About the year 1650,[1] a man by the name of Henry Adams came from England with seven sons, all of whom were married. The father and one of the sons settled in the town of Braintree, about ten miles from Boston, in the province of Massachusetts Bay. The other sons, excepting one who returned to England, fixed their abode in several other parts of the same province. Their descendants have multiplied in the common proportion known to the experience of this country, and the name is one of those most frequently met with in almost every part of this commonwealth. They were orig-

[1] Henry Adams died in 1646. The genealogy of the family is outlined in the *Works of John Adams*, I. 6, and more fully in Andrew N. Adams, *A Genealogical History of Henry Adams*.

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inally farmers and tradesmen, and, until the controversies with Great Britain and the colonies arose, scarcely any of them had emerged from the obscurity in which those stations were held. Few of them before that time had possessed the advantages of education. The father of the late Governor of Massachusetts, Samuel Adams, was, I believe, the first of the name distinguished in any public character. He was a merchant of Boston, and for some time a representative of that town in the General Assembly of the Province.

Samuel Adams and my father John Adams were both descended from the first Henry, but by two of the sons. They were therefore remotely connected in blood; but there is a very early incident in the life of each of them, which seems to indicate that the *Spirit of Independence*, which is so strongly marked in the history of the New England colonies from their first settlement, had been largely shared by the family from which they came, and instilled with all its efficacy into their minds.

They were both educated at Harvard College, an institution founded in 1638, and thus coeval with the first settlement of the Massachusetts colony. It is the seminary from which almost every man of any eminence in our history has issued, until the establishment so much more recent of the other New England colleges.

Samuel Adams was many years older than my father. He received his degree of Master of Arts at Harvard College in 1743. It was then the custom of that college, that the candidates for this degree should each of them propose a question having relation to any of the sciences, in which they had been instructed, and assuming the affirmative or negative side of the proposition, profess to be prepared to defend the principle contained in it at the public Commencement against all opponents.

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The question proposed by Samuel Adams was, "whether the people have a just right of resistance, when oppressed by their rulers," and the side that he asserted was the affirmative.

My father took his degree of Bachelor of Arts in 1755, and that of master, 1758. There has been lately published in the *Monthly Anthology* a letter written by him in the year 1755, and in the twentieth year of his age.[1] Written to one of his youthful companions, and in which the probability of the severance of the colonies from the mother-country, the causes from which that event would naturally proceed, and the policy by which Britain might prevent it, are all indicated with the precision of prophecy. The date of this letter, the age at which it was written, and the standing in society of the writer at the time, are circumstances which render it remarkable. No copy of it was kept, but its contents appear to have made a strong impression upon the person to whom it was written. He carefully preserved it and, dying many years afterwards, left it to his son. In his hands it remained until about two years ago, when, after the lapse of more than half a century, he sent it as a curious document back to the writer himself.

These anecdotes are perhaps as much within other subjects of your inquiries, as within that relative to my parentage. They may furnish occasion for reflections to a philosophical historian more interesting than any I could draw from the most conspicuous incident of my own life.

My mother's name was *Smith*. She too is of English extraction, but her parents for three preceding generations have been natives of this country. Her father and grandfather were clergymen. Her mother was a daughter of *John Quincy*, who was many years a member of the provincial

[1] *To Nathan Webb*, October 12, 1755. It is printed in *Works of John Adams*, I. 23.

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Legislature, several times Speaker of the House, and afterwards member of the council. His name is mentioned in Hutchinson's *History of Massachusetts Bay*.

I was born at Braintree, in that part of the town that is now incorporated by the name of Quincy. The day of my birth was Saturday, 11 July, 1767. The next day I was christened by the name of my great grandfather, who at the very moment, when I received my name, was resigning his own spirit into the hands of his Maker.

In the eleventh year of my age my father took me with him to France, where he was sent as a joint Commissioner with Benjamin Franklin, and Arthur Lee, at the Court of Versailles. We sailed from Boston in February, 1778, and arrived at Bordeaux in the beginning of April of the same year. Before that time my education had been that of the common schools, interrupted by the convulsions of the times, but supplied by the substituted care and attention of both my parents. My obligations to them in this respect ~~are *such* as~~ gratitude can never repay *to them*. The impression resulting from it upon my own mind has been, that of a special ~~duty incumbent upon me~~ to pay the debt of the former age to that which is to succeed, and to reward my parents by transferring the same obligations to my children.

After residing about eighteen months in France, where I was successively placed at two different schools, where I learned the language of the country and a little Latin, I returned home with my father. Instead of three Commissioners Congress found it more expedient to keep at the French Court a single minister. Dr. Franklin was appointed to that office, Mr. Lee had a separate commission for Spain, and my father received permission to come home. We came in the French frigate *La Sensible*, in company with the Chevalier de la Luzerne, who succeeded M. Gérard as the

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minister of France to the United States. We arrived at Boston 1 August, 1779. The Massachusetts Convention for forming a constitution was then just about to assemble. My father was elected a member of that body, and drew the original plan of the constitution which, with some modifications made by the Convention, was afterwards adopted, and is still the constitution of this Commonwealth.

In November of the same year, 1779, my father was again sent to Europe, with a commission for negotiating peace and a treaty of commerce with Great Britain, whenever that power should be disposed to terminate the war. He took me with him again, together with my younger brother Charles, who is since dead. We embarked at Boston in the same frigate, *La Sensible*, then upon her return to France. She was bound to Brest; but a few days after we sailed in a gale of wind she sprung a leak, which in the course of a very short passage became so large, that she was obliged to make the first land she could reach in Europe and entered the port of Ferrol in Spain. She was unable without a thorough repair to accomplish the remainder of her voyage; we therefore disembarked, and travelled by land from Ferrol to Paris, where we arrived in January, 1780. I was here put again to school; but in July of the same year my father went to Holland, and took us with him there. We were placed first at the public city school at Amsterdam, and afterwards at the University of Leyden. In July, 1781, Mr. Francis Dana, who had accompanied my father to Europe as secretary to the legation for negotiating peace, received a commission from Congress as Minister Plenipotentiary to the Empress of Russia, and I went with him as his private secretary. I was with him fourteen months at St. Petersburg, and in October, 1782, left him to return through Sweden, Denmark, Hamburg, and Bremen to Holland, where my father had

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shortly before been received as Minister Plenipotentiary from the United States, and had concluded the commercial treaty with the Republic of the United Netherlands. Upon this journey I employed the whole winter, passing several weeks at Stockholm, at Copenhagen, and at Hamburg. I reached The Hague in April, 1783; but my father was then at Paris engaged in the negotiations for peace. From April until July, I remained at The Hague residing with, and receiving instructions from, C. W. F. Dumas, a native of Switzerland, a man of letters, who had been a zealous friend of the American cause, and then held an office as agent for the United States. In July, an interval of suspension occurred to the negotiations, during which my father was called for a short time to Amsterdam. On his return to Paris he took me with him. The definitive treaty of Peace was signed 3 September, 1783, from which time till May, 1785, I was chiefly with my father in England, Holland, and France.

I was now nearly eighteen years of age, and my education, as the above detail of my wanderings about the world will show, had been rather desultory than regularly systematic, rather calculated to make me acquainted with men than books. Hence it has happened that, though I was always of a studious turn and addicted to books beyond its bounds of moderation, yet my acquirements in literature and science have been all superficial, and I never attained a profound knowledge of anything. At the period of which I am now speaking, I became sensible of other inconveniencies, that might arise from longer continuance in such an unsettled course. By remaining much longer in Europe I saw the danger of an alienation from my own country, which would disqualify me for contentment with my condition in after times, and I found myself contracting sentiments, manners, and opinions of European growth, which I knew could not

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suit the regions, where I expected to pass my days, and for which I had retained the warmest affection. My father was appointed Minister to the Court of St. James, but instead of going with him I requested him to let me return to my native country, and finish my education among my own people. This inclination exactly concurred with his own wishes. I returned to America, and after six months of studies with a private instructor to acquire sufficient knowledge of the Greek language, (which until then I had entirely neglected,) for admission to the university at Cambridge, I entered there in a class advanced almost to the end of the third year of the collegiate course, and, finishing with them the usual term of study, took the degree of Bachelor of Arts in July, 1787. I then immediately entered as a student at law in the office of Theophilus Parsons, who then resided at Newbury Port, and was one of the most eminent lawyers in this country. He is now Chief Justice of the Supreme Judicial Court of the Commonwealth. After three years of attendance, I was admitted to the bar in the courts of the State, and fixed my residence in the capital.

I resided in Boston about four years. My professional practice was inconsiderable, my attendance at my office was unremitted, and having little business to occupy my time I employed much of it in speculations upon political subjects in the newspapers. In the summer of 1791, I published a series of papers in the Boston *Centinel* under the signature of Publicola, containing remarks upon the first part of Paine's *Rights of Man*. These papers were for some time attributed to my father, and for that reason excited much public notice both in this country and in Europe. They were at first very unpopular here, as containing political heresy and questioning the infallibility of the French Revolution. But having been republished in England, and received

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with some public commendation there, they afterwards rose much in the estimation of that class of literary characters among us, (and it is a numerous tribe,) who import their opinions twice a year from London and Liverpool, with the other articles of British manufacture.

In April, 1793, on the first information that war between Great Britain and France had been declared, I published in the *Centinel* three papers under the signature of Marcellus, the object of which was to prove, that the duty and the interest of the United States required that they should remain *neutral* to that war. These papers were published before President Washington's proclamation of neutrality, and when I had no knowledge that such a proclamation was contemplated. There are two political principles that form the basis of the system of policy best suited to the interests and the duties of this country. One in relation to its internal concerns, *UNION*, the other in respect to its intercourse with foreign nations, *INDEPENDENCE*. These principles are the keys to my political creed. I believed that both the union and the independence of the nation depended much upon the establishment of the system of our neutrality to the wars of Europe; I thought that was the critical moment for the establishment of this system, and there were symptoms of a tendency in the public opinion, which might have involved us immediately in the war, as allies of France. These were the motives that dictated the publication of the papers signed Marcellus, which were not much noticed at the time, and which have long since been forgotten.

In the winter of 1793 and 1794 I published another series of papers in support of President Washington's administration, in the controversies excited by the French minister Genêt. It was my zeal for the independence of the nation that again impelled me to write, and on this occasion my

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sentiments happened to accord so well with the prevailing public opinion, that these papers were received with much favor, and contributed to give me reputation.

In May, 1794, I was appointed Minister Resident to the United Netherlands. The circumstances that led to this appointment were never known to me. The nomination was, of course, made by President Washington. I have heard that my name had been mentioned to him by Mr. Jefferson, before his retirement from the Department of State, who had some personal acquaintance with me while I was in France; I have also been told that the papers I have just mentioned had attracted the President's attention, and led him to make inquiries concerning their author. My father was then Vice President, but my appointment was as unexpected to him as to myself.

From 1794 to 1801 I was in Europe, successively employed as a public minister in Holland, England and Prussia. One of the last acts of President Washington's administration was the nomination of me as Minister Plenipotentiary to the Court of Portugal. But while on my way from The Hague to Lisbon, I received a new commission which changed my destination to Berlin. The nomination of me to this mission was made by my father, and has been represented as an office bestowed upon me by him. It was even asserted in the public newspapers that I had received the separate outfit of these different appointments. The truth was, that on my first appointment in 1794, I received the outfit of a minister resident only 4500 dollars, that on my subsequent appointment as Minister Plenipotentiary to Lisbon I received not the full outfit of a Minister of that rank, but so much as with the 4500 dollars received in 1794 amounted to that outfit, that is to say 4500 dollars more, making in the whole 9000, the outfit that has always been allowed to every Minister

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Plenipotentiary from the first appointment of ministers under our present Constitution. In this respect my case, I believe, has been peculiar. There have, at least, been instances of a full outfit allowed on a new appointment given to a person already abroad. And this circumstance may have given rise to the misrepresentation of the fact, as respected me. The appointment, which I held under the nomination of my father, subjected me to additional expenses, but never gave me the addition of a dollar from the public treasury to that which I should have been entitled to under the appointment to Lisbon.

I resided at Berlin from November, 1797, until April, 1801, and during that time concluded a treaty of commerce with Prussia, which had been the principal object of this mission. I was then recalled, just before the commencement of Mr. Jefferson's administration. I arrived at Philadelphia in September, 1801.

In 1802, I was elected a member of the Senate of Massachusetts, and served in that capacity one year. I was then elected by the legislature of the same State a Senator of the United States for six years, from the 4th of March, 1803. In June, 1808, I resigned that office, and since that time have been in no public station. On the 6th of March last I was *nominated* by Mr. Madison for a mission to Russia, but a majority of the Senate being of opinion that such a mission was inexpedient and unnecessary, no vote was taken on the nomination.

The part which I have acted while in public life has been naturally diversified in the detail by the different offices in which I have been placed. When abroad my situation was *ministerial*, my general duty was marked out by my instructions, and they were pursued to the satisfaction of the executive authority by which I was employed. As a member

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of the State legislature, I made myself obnoxious to a great and powerful combination of banking interests by a strong but ineffectual opposition to a bank-making speculation, of which the time is not yet come to tell the whole truth.

In the Senate of the United States, the part which I acted was that of an *independent* member. My fundamental principles, as I have told you, were *Union and Independence*. I was sworn to support the Constitution of the United States, and I thought it my duty to support the existing administration in every measure that my impartial judgment could approve. I discharged my duty to my country, but I committed the unpardonable sin against *Party*. The legislature of Massachusetts by a small majority of federal votes in May, 1808, elected another person to represent them from the expiration of my term of service, and I immediately resigned the remainder of that term. They had passed resolutions in the nature of instructions to their Senators, which I disapproved. I chose neither to act in conformity with those resolutions, nor to represent constituents, who had no confidence in me. It was not without a painful sacrifice of feeling that I withdrew from the public service at a moment of difficulty and danger, but when the constituted organs of that country, under whom I held my station, had discarded me for the future, and required me to aid them in promoting measures tending to dissolve the Union, and to sacrifice the independence of the nation, I was no representative for *them*. These were the immediate causes of my retirement from public life.

I have already remarked, that from the unsettled and desultory manner in which my years of infancy were employed, I never attained a profound knowledge of any of the sciences. I had always however an eager relish for the pursuits of literature, and acquired at an early period of life a

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taste for the fine arts. In the capitals of the great European nations the monuments of architecture and of sculpture continually meet the eye, and cannot escape the attention even of the most careless observer. Painting, music, the decorations of the drama, and the elegant arts which are combined in its representations, have a charm to the senses and imagination of youth, vivid in proportion to the perfection which they naturally attain in those large cities, where immense multitudes of men are compressed within so small an extent of space. The exhibitions of excellence in all these faculties, which I had frequent opportunities of witnessing, at the time of life when they were calculated to make the strongest impression, gave me a taste for them, which has contributed to much of the enjoyment of my life.

In the year 1806 a professorship of Rhetoric and Oratory was instituted at Harvard University, founded upwards of thirty years since by Nicholas Boylston, formerly a merchant of Boston. I was appointed the first professor on this foundation, and have delivered a course of lectures on the subjects of the institution, which has been very recently completed.[1] The duties of this office, together with the practice of law which since my retirement from the public service I have resumed, form at present the employments of my life.

I was married at London in July, 1797, to Louisa Catherine Johnson, second daughter of Joshua Johnson, then Consul of the United States at that place. He was a native of Maryland, and a brother of Thomas Johnson, sometime governor of that State, and a distinguished patriot of the revolution. I have three children, all sons: *George Washington*, born at Berlin, 12 April, 1801; *John*, born at Boston, 4 July, 1803; and *Charles Francis*, born at Boston, 18 August, 1807.

You have now, sir, answers to most of the questions re-

[1] In the *Portfolio* a paragraph was added at this point on the Letters from Silesia.

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lating personally to myself, contained in your letter. It would have given me pleasure to have supplied you with more valuable materials for your projected work. I know not any person to whom I could refer you for information concerning me, which I myself should scruple to give. I have friends who would doubtless draw a flattering likeness of my character, and enemies who would perhaps be ready enough to show me in caricature. Certainly neither of them would know so much of me as I do, and I doubt whether either would form a more impartial estimate of my qualities good or bad. If the whole truth, and nothing but the truth, were told of me, the tissue of the story would be (to use an expression of Shakespeare) a *mingled yarn*. There would be found in the narrative something to commend, and enough to censure. As far as I know myself, the motives of my public conduct have always been pure and disinterested. Perhaps I have too much indulged the suggestions of my own judgment, and paid too little deference to that of other men. The agency of party is so organized in our country, that the undertaking to pursue a course altogether independent of it as a public man is perhaps impracticable. However this may be, I do not regret having made the attempt, and whether in public or in private life it is my unalterable determination to abide by the principles which have always been my guides. I am, etc.

REVIEW OF THE "WORKS OF FISHER AMES"

Preface [1]

The following papers were originally published in the *Boston Patriot*, under the title of "Review of Works of Fisher Ames, com-

[1] In January, 1809, appeared a volume, *Works of Fisher Ames. Compiled by a Number of his Friends.* Prefixed to it was a sketch of Ames' life and character by

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piled by a number of his friends." This review was meant to be rather political than literary. Of the style and composition of his writings little is said — it was deemed unnecessary to divert the attention of the reader from a discussion of the most important principles, to the mere structure of discourse and verbal criticism — and, in regard to the style, it was unnecessary to enlarge: Mr. Ames's biographer having characterized it with the amplifying and extenuating hand of friendship, but with the discernment and elegance of genuine taste. But the moral and political doctrines, which were attempted to be ushered into circulation under the sanction of his amiable character and respected talents, were too portentous to be passed over without animadversion.

The death of Mr. Ames happened at a very momentous period of our national history. At a time when rights unquestionable at the tribunal of justice, and essential to the independence of our country, were attacked by all the power and all the artifice of the greatest naval empire upon the globe. When in defence of those rights the government of the Union had resorted to the only possible remedy short of war; and when a formidable party in the heart of the country, had taken their side in this great controversy with the foreign aggressor, and against their own government. So obviously was the justice of this cause on OUR SIDE, that although every measure adopted by this party, was a measure of encouragement to the adversary and of annoyance to our own defenders, yet no *living man* had yet dared to pledge his stake in society to the direct and unqualified vindication of the British pretensions.

John Thornton Kirkland, though not signed in the publication. The use of the material in the preparation of this volume indicated a political bias, the more noticeable because of the course of public events since 1801. In the *Boston Patriot*, a journal of recent birth, Adams began a series of comments upon the *Works*. The first article appeared April 29, 1809, and continued in the issues of May 24, 27, June 3, 7, and 10. They were afterwards printed as a pamphlet: *American Principles. A Review of Works of Fisher Ames.* Only the preface, prepared for the pamphlet and explaining the purpose of the writer, is reprinted in these volumes. The "Review," as the author says in his Diary, attracted but little notice; but it called out a reply from John Lowell, *Remarks on the Hon. John Q. Adams's Review of Mr. Ames's Works, with some Strictures on the Views of the Author.* Boston, 1809.

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Indirectly they were indeed justified; and while Britain was heaping insolence upon injury in her treatment of this country, she was supported by these Americans as the exalted champion of liberty, the defender of oppressed nations, the last hope of the human race.[1] But even the addressers and reporters of the last Massachusetts Legislature, (anxious as they were to foment the spirit of subserviency to Britain, urgent as they were to unfurl the republican banners against the imperial *standard*, intrepid as they were to threaten and organize internal war, in aid of the external enemy, against our own government, struggling in defence of OUR OWN CAUSE; even they) shrank from the formal justification of the British Orders of Council.

But what no *living man* could be persuaded to do, the *friends* of Mr. Ames made him perform after his death. During his life-time he had never chosen to pledge his name to those doctrines; and though he had given them too much countenance in nameless newspaper paragraphs and essays, he had manifested a steady unwillingness to avow them in the face of day. But scarcely was he cold in his grave, when his name was doomed by his friends to stand before the public, responsible for the assertion, that on the most momentous questions at issue between Britain and us, she was *right* and we were *wrong*. Nor was this the only fatal error, promulgated in the posthumous part of this volume. The unreasonable veneration of everything connected with Britain, the excessive abhorrence of everything connected with France, and the mixture of scorn and contempt for his own country, which in his last days were at the basis of all his political opinions, were

[1] An American JUDGE [Parsons] had even talked of the impressment of British subjects from American merchant vessels, as being agreeable to a RIGHT claimed and exercised for ages, and had undertaken to justify the British King's proclamation of October 16, 1807, under the pretence that it was merely an assertion of the nation's RIGHT to the service of its subjects in time of war. The orders in council too, had been defended, as merely retaliatory upon France, and although some straining had been manifested at the name of *tribute*, yet it was found that the same thing might be swallowed with perfect ease under the name of a *transit duty*.—*Note by Adams.*

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principles from which the most mischievous deductions naturally flowed. The aversion to Republics and Republican institutions, the bitter invective against our popular elections, the humiliating dogma that our liberties depended upon nothing but the British navy; the terror, that his children would be taken for Bonaparte's conscription to St. Domingo, were calculated as far as they could operate to spread a contagion of false opinions upon objects of the highest moment to the people of this country. And the danger of these false opinions was aggravated in proportion to the reverence for the talents and the respect for the personal character of the author, so general throughout the community. The natural and indissoluble connection between these opinions, and the public *measures* of those who dare not avow them, was material to be shewn; and the rancorous prejudices against our fellow citizens in other parts of the Union, the contracted basis of exclusive love, upon which political attachment was asserted to rest, the crude and undigested notions of patriotism, with the long argument to prove that it cannot exist in this country, nor in *any Republic*, were so many potions of poison for the public mind, which the writer of these papers sincerely thinks, loudly called for an antidote, before they should have time to circulate with all their venom, in the veins and arteries of the body politic.

To defend the insulted reputation of our country, to vindicate from false aspersions the character of the nation, and its Republican institutions, to refute the groundless charges against our children and our brethren of the Western and Southern States, to assert the real foundation upon which our independence must stand, to maintain its RIGHTS against the ruffian principles of the British cabinet, and to guard the sense and spirit of the people against the mistakes of fancy usurping upon the province of judgment, in the estimates of political morality — such were the motives which dictated these papers.

To hold up to public view the errors of an ingenious and amiable man, so recently deceased, was a task, painful to the feelings of the writer, and which nothing but the importance of the errors,

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and the danger of the impressions they were producing upon the public mind, could justify. The most exceptionable principles, and the most important mistakes in point of fact, are quoted word for word from the volume itself. In no one instance however has a quotation been made, which in its connection with the other parts of the discourse would bear a different aspect, from that which it bears in the selection. For these wanderings of intellect, it is abundantly manifest upon the face of the volume, that Mr. Ames never meant to be responsible to the public. They were intended for his select and exclusive friends. They furnished food for that modest and generous opinion which they delight to entertain; that all the virtue, and all the talents, as well as all the wealth of the American continent, is a monopoly of their own; and that the rest of the people are a mere herd of Sodom, to be saved from the fire of Heaven only by *their* transcendent merits. So long as these maggots only crawled within the pale of the church, their mischief was confined to the annoyance of occasional visitors at the altar of the idol; but where thus ushered abroad, they might have taken wing and spread a plague of locusts over the land.

It was then, an examination of the political system of these self-styled saviors of Sodom, which was proposed by the writer of the following papers. Their doctrines had never been so fully and explicitly avowed, by any man who had a character to pledge. Like the priests of Egypt, they had a revelation for the multitude, and a secret for the initiated. In its plenitude of perfection, their creed was nowhere to be found in a tangible shape. To make way for this mass of illumination, the real wisdom and virtue of Mr. Ames's best days, his public labors as a statesman, at the organization of the federal government, his speeches openly made in the face of the country, the great and solid foundation of his honorable fame, were excluded from the compilation. Had the same principles been scrutinized as appearing in newspaper paragraphs and anonymous pamphlets, the moment they were brought to the test they would have been universally disavowed. For the holders of these tenets, like the Dutch traders of Japan, whenever traffic

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is to be obtained by denial of their Lord, will trample upon his cross to disprove their religion. They have given at length their confusion of political faith to the world, and it was only under the sanction of Mr. Ames's name, that it could be properly canvassed.

It may perhaps be thought that the conduct of these friends is here judged with too great severity. That in publishing these opinions of Mr. Ames, they are not responsible for them as their own; and that even the errors of the volume ought to have been overlooked, in consideration of the general excellence of the author, and the valuable matter with which they are blended. The writer of the Review is not insensible to the moral obligation incumbent upon a man of generous feelings to "hide the fault he sees," and to veil if possible, even the failings of a fellow citizen, distinguished by talents, virtues and public services. It is that obligation which he thinks the publishers of the volume have violated. As a free-born American citizen, he feels a duty to maintain the rights and liberties of his country, not less imperious than that of respecting the repose of death; especially when he perceives that a stroke is aimed at everything which this nation ought to hold dear, under the shelter of a presumption, that the sanctuary of the grave would shield the offence from the pursuit of justice; and that a name entitled to public veneration would prove a passport for corruption to which no man living dared to pledge his own. For it must be observed that the compilers have been as penurious of their own names, as they have been prodigal of that of their departed friend. The title page tells us that they are a number, but not who they are. The biography, a performance which in point of composition would do honor to *any* name, yet bears not that of its author; and the very private letters, divulged in the face of their own injunctions of secrecy, are directed to nothing but asterisks.

The writer is well aware that party spirit, will neither give him credit for his real motives in the publication of these papers, nor forbear from the imputation of others. But it is not to party spirit that he meant to address himself, nor to partisans that he holds himself amenable. Believing in the general sense and virtue of his countrymen, he asks of his reader that effort of the mind

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which Malebranche demands of every inquirer after truth — to separate from the subject every prepossession not belonging to it, and to examine without any partial bias, the sentiments advanced in the volume and contested in these papers. If the *principles* to which the friends of Mr. Ames have seen fit to pledge his reputation are founded in eternal truth, to dispute them is nothing less than to war against Omnipotence. If they are founded in error, no apology will be necessary, for an attempt to arrest their progress at their influence at the threshold.

Should the reader be one of those, whose admiration for the genius and character of Mr. Ames is a feeling in which he delights to indulge himself, and which he is unwilling to submit to the crucible of stubborn reason, he is requested to lay aside the pamphlet, and continue in the enjoyment of his sensations. Should he think it a more profitable course to test his principles before he carries them into action, let him examine the volume, and weigh the objections against a part of its contents, here advanced; after which he may still enjoy his admiration of the man. This I have no inclination to disturb. Let him, if it can afford him any gratification, *suspect* the motives of the Reviewer. But let him renounce principles demonstrated to be false, and of deadly import to the independence and liberties of this country.

TO THE PRESIDENT OF THE UNITED STATES

[James Madison]

Boston, 30 April, 1809.

Sir:

The bearer of this letter, Mr. Pickman,[1] is a gentleman, with whom for many years I have had the pleasure of a very intimate acquaintance, and for whose character I have had every reason to entertain the highest esteem.

Being elected a member of the House of Representatives of the United States to the present Congress, he is desirous of

[1] Benjamin Pickman (1763–1843).

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a personal introduction to the President, and in taking the liberty to introduce him, I derive much satisfaction from the persuasion, that in his individual capacity you will find him an agreeable acquaintance, as in his public character he will be a faithful representative of the people.

His general political opinions are those usually included under the denomination of federalists: his particular sentiments, those of federalists of the most decided cast. Yet widely as my own sentiments upon the recent transactions and discussions which have agitated the country differ from those which he has entertained, there is no man in whose integrity I should place a more perfect reliance on all occasions; none upon whose candor and fairness of mind I should more fully rely, for the belief that he will support every measure of your administration, which his judgment shall approve.

I cannot deny myself the pleasure which this opportunity affords me of offering you, sir, my congratulations upon the favorable change in the aspect of our public affairs, since your accession to the presidency, and of presenting you my most earnest hopes, that the just and honorable principles, which I have the most entire confidence will govern your administration, may be crowned with success beyond the expectation of our country's best friend, and equal to your own wishes. I have the honor, etc.

TO EZEKIEL BACON

BOSTON, 15 June, 1809.

MY DEAR SIR:

. . . . . .

Of the share in the public measures, which I have had by my public conduct and by my well meant opinions, given at your request, and that of other friends devoted to the same

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cause, I never have been at any moment inclined to disclaim one title. If in the course of our late *history*, I have felt one strong regret, it was that my share in the proposition and support of the measures adopted was not *greater*. I am not aware, indeed, that it could have been greater, and I have found myself held at least to my share of responsibility for them. That responsibility, however, I continue to cherish, even in the high forms of reproach that it has assumed from both parties, and I take more pride than is perfectly consistent with wisdom, to find Duane beginning to load me with the non-intercourse act, *while* the holy blunderbusses of the pulpit and the pop-guns of the Ancient and Honorable Artillery are battering me with a cross fire of embargo.

I shall as little dread the reproach of having contributed to the non-intercourse, as I do that of having pledged everything that I had to pledge upon the embargo. In the substitution, however, of the non-intercourse, as I had neither voice nor vote for which I was amenable to the country, I cannot claim in the minds of those who consider it was a merit, that share which ought justly to be reserved for the members in both houses of Congress, who actually supported it with both. I consider the whole series of measures, from the non-importation act to the proclamation of 19 April, both inclusive, as links of one connected system, and my confidence in its eventual success is daily gaining strength. If Mr. Randolph, or Mr. Gardenier, or any other man of their *sense* and standing in society, thinks sincerely that Mr. Madison's readiness in acceding to the proposals of Great Britain is the commencement of a new system, which *as such* they are willing to hail with approbation, I should not desire to disturb them in their *generous feelings*, but I shall take the liberty to persist in my opinion, that the non-importation, the embargo, the non-intercourse, and the

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proclamation of 19 April,[1] are all parts of one and the same whole, and in my approbation of them all.

Mr. Randolph's speeches are very amusing, and very popular among the enemies of the administration. Among the federalists *with us*, however, there are great numbers who will finally support Mr. Madison, *provided he does not quarrel with England*, but on no other contingency. You will see that in their newspapers they are already loud in their support of our right to the colonial trade, and willing to devote the British Ministry to execration, if they should have been playing a false game in the late negotiation. This language will be held, until it is ascertained whether England does really mean to continue substantially her system of blockade. If she does their execrations will vanish in smoke; they will again join her in denying our right to the colonial trade, and asserting her right of impressment, and they will hang like millstones on the neck of Mr. Madison's measures, be they what they may; in short they will act over again the patriotism of the last eighteen months.

There is some uneasiness respecting these new Orders in Council, which are as inconsistent with the laws of nations and with our rights as their predecessors. The English newspapers pretend, and ours have copied the paragraph from them, that these Orders were issued with the approbation of Mr. Pinkney, our minister, which surely cannot be possible. We are in expectation of some explanation upon the subject from Washington, and in the meantime hope that the new Orders are only a change of phase in the British orb, portending another speedily to ensue.[2]

[1] On the proclamation see Henry Adams, *History*, V. chap. iv.

[2] Order in Council, April 26, revoking the Order of November 11, 1807, and establishing in its place a general blockade of Holland, France and Italy. The first intelligence of the order reached the United States June 10. Adams, *History*, V. 81.

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Perhaps they may tend to solve the difficulty which you suggest as having arisen, respecting the exclusion of foreign armed vessels from our ports and harbors. I have been long of opinion, that the principle of total exclusion, excepting under treaty stipulations, ought to be assumed as a permanent maxim of our government. I was for assuming it two years ago, and I should have been for assuming it now, as reported to the Senate by Mr. Giles. I know that it would have raised a clamor from the English faction, and that all the enemies of Mr. Madison would have joined in it. But far from thinking it ill-timed, I am afraid there will never be so favorable a time for setting it up as this would have been. However, those who are on the spot have the best means of judging on the expediency of the time, and I speak this with submission to your better opinion. If the total exclusion must be given up, then I should, I think, incline against a discrimination. Indeed, I do not see upon what sound principle a discrimination could be made. The original exclusion of British armed ships was in consequence of the attack on the *Chesapeake*. It was a British offence, and the penalty applied to that was distinct from all the other measures of defence against foreign aggressions. Atonement having been made and accepted for that offence, the exclusion of their armed ships on that account ought, of course, to cease. But on that account it could not be applied to French ships. Now, although the exclusion was incorporated into the non-intercourse law, and thus extended to France as well as Britain, yet the only *fair* principle upon which it could be done was, that of having adopted the *total exclusion*, and exercising the right reserved to us against both belligerents.

I have always thought that the complaints of the English government in regard to this partial exclusion were not with-

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out foundation. And it was on this principle, that when the *law*, upon which Mr. Jefferson's excluding Proclamation issued, passed in Congress, I opposed it with all my most fruitless zeal. I mean the law of 3 March, 1805. Under that law I considered the President as bound in duty to issue the Proclamation, and after it was issued the nation was bound to support it. But there never was a law enacted while I sat in Congress, which I more strenuously opposed, and my negative vote stands recorded with only three others on the Senate's journals. None of those who have since abused Mr. Jefferson for issuing his Proclamation as that law required, would then join me in voting against the *law*.

If we exclude the armed vessels of France, while we admit those of England, we shall certainly have the same complaints from France that England made against the Proclamation, and we shall not have an attack like that on the *Chesapeake* to plead in answer. Perhaps you will say, we shall discriminate by leaving the *interdict* upon *trade*, and why not by the exclusion of armed ships? Because *trade* is an affair of peace, and the admission or exclusion of armed ships operates peculiarly upon the state of war. In one case you are dealing as with commercial nations, in the other you are dealing as with *belligerents*. I have not room to unfold this idea in all its bearings, but I am sure you will understand it on this hint. If it should not meet your approbation I am sure it will have your candid consideration. I am, etc.

TO WILLIAM EUSTIS [1]

BOSTON, 22 June, 1809.

MY DEAR SIR:

I have received your obliging favor of the 10th instant

[1] Secretary of War.

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but this moment, and very sincerely thank you for the intimations contained in it. The publications to which you allude I believe will soon be concluded, perhaps this or the next week.[1] They were not commenced without much deliberation, nor without a full estimate of the spirit which they would kindle up respecting their author, and of the power *over the public mind*, which that spirit would possess. Of the importance of the facts which they have disclosed and are disclosing, not merely to the reputation of the writer, but to the interests of this nation and to its welfare, it is probable the men of other times will be better judges than any of the present public. My own judgment of them must of course be partial, for there seems to me to be more true *history* in them, than in all the collections of our Historical Society. There is indeed more true history in them, than it may suit the feelings of any description of our politicians and statesmen to have told. But as the *historian* is as much out of the

[1] John Adams' letters to the *Boston Patriot*, began April 15, 1809. They were gathered and published in a pamphlet: *Correspondence of the Late President Adams; originally published in the* Boston Patriot, *in a Series of Letters*. Boston, 1809. A Baltimore issue was also made by Hezekiah Niles. Portions are reprinted in *Works of John Adams*, IX. 241, with a preliminary note by Charles Francis Adams. "Your father in doing justice to his own fame, has at the same time disclosed facts and explained some particular transactions in a manner calculated to disclose the views of men of great influence over the public mind, and served the true interests of his country. . . . This leads me to observe that it is time to finish. You know the nature of the public mind. If you give it roast meat every day it cloys, and how many men have written too much. Aware of the delicacy of a suggestion of this nature I cannot withhold it. An interest in his fame is a self-justification. Wishing him and you life enough to see justice triumph over the prejudice, misrepresentation and passion of the moment, I am, etc." *William Eustis to John Quincy Adams*, June 10, 1809. "I showed my father Eustis's letter to me; with which he was very much offended; he thought it contained an indirect insinuation that his object in his present publication was to get me nominated to an office, and he advised me, if I should be nominated to St. Petersburg, to refuse the nomination. He declared his determination to continue his publications, which I had supposed he meant to suspend for the present." Ms. *Diary*.

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influence of *hope* and of *fear*, as Tacitus declares himself to have been in writing the tale of his times, he neither has taken, nor will take, the thermometer of popular feeling at the present moment for a guide respecting the continuance or cessation of his writings. Were my own inclined to consult the prudential considerations of this hour more than his, he would certainly decide according to his own judgment and not according to mine. The particular subject upon which the correspondence commenced has, I believe, been closed as to the writing, and will be printed within the time I have mentioned; and nothing further is intended *for the present.*

Yes, I believe with you that the *first* of qualities for a *great* statesman is to be honest. And if it were possible that this opinion were an error, I should rather carry it with me to my grave, than to believe that a man cannot be a statesman without being dishonest. I have, and must have, confidence in the *possible* virtue of human nature; and although in entertaining this idea, a man must, and will sometimes, be disappointed, yet if it is coupled with a sound judgment and close observation, I believe he could make fewer great mistakes, than one whose principle is the universal rascality of the species. When Alexander swallowed the medicine offered him by Philip his physician, *after* an anonymous warning that Philip had been bribed to poison him, Alexander might have been mistaken. He staked his life upon the belief in Philip's honesty. It was the most heroic action of his life. But its heroism consists in his confidence in human virtue, combined with the accuracy of his judgment in the individual application of it. Had Philip really been the corrupt villain, and administered poison, Alexander's confidence would have been as noble, but the event would have proved his judgment in that instance incorrect. All

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men profess honesty as long as they can. To believe all men honest, would be folly. To believe none so, is something worse.

I rejoice that your conviction in the honesty of Mr. Madison has been confirmed by the opportunity you now have of ascertaining it conclusively. I have entertained that confidence in him at a time when, if I had lent an ear to prejudices, they would have led at least to suspicion; and although if the event had proved me mistaken in my confidence, I should not have renounced my theory of human nature, I should certainly have felt conscious that in the application of my principle I had committed an error of judgment. I hope you will not conclude from this reasoning that I mean to make Mr. Madison's honesty prove me a hero. I did not stake my life upon the issue.

What I did stake was enough to make me feel no slight gratification in the daily accumulating public evidence, that I was not mistaken. And whether I live long enough to survive the passions, and prejudices, and personal enmities which my conduct and the course of events have brought upon me or not, I have no fear that either my father or myself will leave to after ages a name, at which my children will ever have occasion to blush.

Our legislature have risen after a short session, in which nothing of any consequence has been done. It has, indeed, been a session of much profession and little action. The principal occupation has been party management to claim the victory in the midst of a retreat. Very patriotic professions have been made and echoed, and the principle of confining offices to one party has been reprobated in theory, as much as it is followed in practice. I have no doubt that overtures of a very *conciliatory* nature have been made to Mr. Madison from the predominating party here, and I

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presume you know more of them than I can inform you. Perhaps you also know that among his and your friends, there is some uneasiness under the apprehension of a coalition from which, in respect to party views, they might be the sufferers. Of all this I have heard a little, but it being a subject in which I have no inclination to meddle, I have felt not much interest in the purposes of either side.

The readiness with which the propositions from England were received by Mr. Madison has given universal satisfaction in this quarter, and rendered the commencement of his administration extremely popular. There is a wish, feebly intimated rather than directly asserted from a certain quarter, that measures hostile to France might be adopted. I observe the same thing in the congressional manœuvering at Washington, but I hope it will not be suffered to prevail. Senseless and cruel as the conduct of France towards this country has been, I still wish that a war with her may be avoided. As Great Britain is now upon her good behavior, I cherish a slight hope that Mr. Madison will yet signalize his administration by obtaining from her *justice* and our *rights*. At any rate that we shall escape a war with her, and yet surrender nothing essential. But no alliance with the British lion; no common cause against the Corsican!

If in the occasional moments of leisure which the duties of your office may allow, you can now and then spare a line of communication to me, I shall esteem it as a favor, and will promise not to burthen you with any more such length of epistle in return. I am, etc.

P. S. 26 June. The subject of the negotiation with France in 1800 is, as I have mentioned, concluded in my father's correspondence. But he proposes to continue immediately the publication of letters upon a different subject, the peace of 1783.

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A word about your postcript.[1] Am I to consider it as a *question* or a *hint?* If *a question* I answer NO. If a hint I do not understand it.

COMMISSION

JAMES MADISON, President of the United States of America,
To JOHN QUINCY ADAMS,—GREETING:

Reposing special Trust and Confidence in your Integrity, prudence and Ability, I have nominated and by and with the advice and consent of the Senate, appointed you the said John Quincy Adams, Minister Plenipotentiary for the United States of America, at the Court of His Imperial Majesty the Emperor of Russia; authorizing you hereby to do and perform all such matters and things as to the said place or office doth appertain, or as may be duly given you in charge hereafter; and the said Office to hold and exercise during the pleasure of the President of the United States; for the time being.

IN TESTIMONY Whereof, I have caused the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the Twenty-Seventh day of June in the year of our Lord one thousand Eight

[1] "I think the nomination to St. Petersburg will be made this session." On June 26, the President sent to the Senate a message nominating Adams to be minister plenipotentiary of the United States to the court of St. Petersburg, with documents showing the fitness of the opportunity. *American State Papers*, Foreign Relations, III. 298. The nomination was confirmed the next day by a vote of nineteen to seven.

"So far as your public sentiments and conduct may have an influence on the public mind, your friends would certainly have preferred that the theater of your employments should have been on American ground. A mission to the Court of St. Petersburg is, to a man of active talents, somewhat like an honorable exile; in which point of view I hear it has been remarked by your *old friend* Col. P[ickering], that 'he believed upon the whole the best thing that could be done with you was to send you out of the country.' Though your friends will not probably accede to the position that it was *the best thing*, yet they will very readily agree that it was a very good thing." *Ezekiel Bacon to John Quincy Adams*, June 29, 1809. Ms.

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hundred and Nine; and of the Independence of the United States of America, the Thirty-third.

JAMES MADISON.

By the President.

R. SMITH,

Secretary of State.

SECRETARY OF STATE TO WILLIAM SHORT [1]

Department of State, September 8th, 1808.

SIR:

The President having thought it expedient for the interests of the United States that a minister plenipotentiary should be sent

[1] In place of special instructions, Adams was given copies of what had been given to Short and Armstrong. The essential parts of the Armstrong dispatch follow:

"The rein given by Great Britain thro' the arbitrary decisions of her Admiralty Courts, to the cruizers against our commerce, has produced already heavy losses to our merchants and a very general indignation throughout the nation. You will have observed the notice taken of the British conduct in the message of the President to Congress at the opening of the session. I now transmit a copy of a special message on the subject, with copies of sundry memorials from our merchants, and of diplomatic documents, explaining the extent of the evil, and the grounds of our remonstrances against it; to which I have thought it not improper to add a printed examination of the doctrine asserted by G. Britain as the basis of her warfare on neutral commerce. These materials will put you in possession of the extent of the neutral right claimed by the United States, of the reasoning by which it is maintained, and of the great interest they have in maintaining it.

"What effect the communications made to Congress may have on their counsels; cannot yet be pronounced. The subject is expected to undergo an early and very serious consideration, and will probably end in some measures addressed to the interest of Great Britain; unless a hope should be indulged that a voluntary adjustment with her will render them unnecessary, or that the course and issue of the contest in Europe may supply a remedy.

"In this state of things, the President reflecting on the interest and the way of thinking which has prevailed among all the great powers of Europe, as well those allied as those at war with Great Britain concerning the maritime rights of neutrality, conceives that it may be useful to enter into certain explanations, with the principal at least of those powers, particularly the two Emperors of France and of Russia, with a view to promote an incorporation of the most important of those rights into a Treaty of peace.

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to the Emperor of Russia, he is desirous of availing them of your services on the occasion. You will accordingly herewith receive a commission and a letter of credence to the Emperor.

"You are accordingly authorized and instructed to take an early occasion of intimating to the French government how much the United States have this object at heart, and how much confidence they have in the efficacy of such an arrangement under such auspices.

"With respect to the particular rights to be placed under the guaranty of a general treaty of peace, it will naturally occur that the one having the first place in the wishes of the United States is that which is at present violated by the British principle subjecting to capture every trade opened by a belligerent to a neutral nation during war, and in which both the United States as a neutral and France as a belligerent nation have so deep an interest. It will be recollected that this right stands foremost in the list comprized in the two plans of armed neutrality in 1780 and 1800. In general it is to be understood that the United States are friendly to the principles of those conventions, and would see with pleasure all of them effectually and permanently recognized as principles of the established law of nations. The ideas of this government would extend even further in relation at least to contraband of war; the list of which as retained by those conventions, and as limited by the generality of modern treaties, is a source and a pretext for much vexation to the commerce of neutrals, whilst it is of little real importance to the belligerent parties. The reason is obvious. In the present state of the arts throughout Europe, every nation possesses, or may easily possess within itself the faculty of supplying all the ordinary munitions of war. Originally the case was different, and for that reason only it would seem that the articles in question were placed on the contraband list. The articles which alone fall within the original reason, are naval stores; and if these are expunged from the list of contraband, it is manifest that an abolition of the list altogether would be a change in the law of nations, to which little objection ought to be made.

"On the subject of 'free ships free goods,' the United States cannot with the same consistency, as some other nations maintain the principle as already a part of the law of nations; having on one occasion admitted, and on another stipulated the contrary. They have however invariably maintained the utility of the principle, and whilst as a pacific and commercial nation they have as great an interest in the due establishment of it, as any nation whatever; they may with perfect consistency promote such an extension of neutral rights. The northern powers, Russia among the rest, having fluctuated in their conduct, may also be under some restraints on this subject. Still they may be ready to renew their concurrence in voluntary and conventional arrangements for giving validity to the principle, and in drawing Great Britain into them.

"Russia may also feel respect for the footing on which her explanatory article

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You will see in the latter, a copy of which is furnished, the general purposes of your mission. It has been invited by the friend-

with Great Britain of October 20, 1801, has placed the commerce of neutrals with belligerent colonies. Even with that limitation, provided it be applied not to the right itself asserted by the convention of June, 1801, but to the exercise of the right, the commerce of neutrals would be on a footing acceptable to the United States. And although it might be less so to France, it still deserves her consideration whether, such a provision, which secures in time of war all the necessary supplies of her colonies, and to her own markets, the necessary colonial productions, ought not to be embraced in case Russia should refuse to coöperate for a more complete provision. It is to be hoped however, that she will resume the principle in the latitude given to it in the convention itself of June, 1801, and that the joint influence of Russia and France will be effectual in engaging the concurrence of Great Britain and the other maritime powers of Europe.

"The only remaining subject, requiring notice is that of convoys. The neutral claim on this subject was not included in the armed neutrality of 1780. Altho' the United States cannot but befriend it as favorable to the security and interest of neutral commerce, yet the plausible objections made to the claim by Great Britain in its indefinite extent, and her probable inflexibility in the objections, may render it expedient to substitute the modifications already admitted by Russia in the treaty of June, 1801. With such modifications, the right seems to be sufficiently valuable to deserve a place in a general provision for neutral rights.

"Having given this explanation of our views on this occasion, it will be necessary to say something with respect to a participation of the United States in the means of giving them effect. Such a participation may refer 1st, to a Congress for making peace; 2d, to the guaranty of neutral rights which a treaty of peace may provide. As to the first it may happen that the occasion will be over before arrangements could be made for giving the United States a representation in such a Congress. But on a contrary supposition it is not seen that there would be much advantage or propriety in the measure whilst it would expose us to all the snares which might be laid for entangling us in the politics of Europe, and in the plans of those who may predominate in the negotiations. Should any disposition therefore be discovered to invite the United States into the scene, it will be proper for you by polite and friendly explanations to repress it. As to the second point, it will be still more important not to bind the United States to any participation in such a guaranty, and consequently to avoid raising any expectation, that they will accede to an article for the purpose, if an opportunity of so doing should be reserved to neutral nations not parties to the Treaty.

"Notwithstanding this refusal of the United States to become parties to the negotiation and stipulation of a guaranty of neutral rights, the deep interest which they have therein, will justify the solicitude which you may express on the subject;

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ship, not to say partiality of the Emperor towards the United States, expressed in letters from him to the President, as well as otherwise manifested by suggestions thro' official channels that such a mission would be agreeable to him; by the occasion presented in the notification to the United States as a neutral nation, of the late war into which his Imperial Majesty had entered; lastly, by the liberal principles and policy entertained by him with respect to the rights of the sea, and by the influence which the high station of Russia, and her peculiar bearing on the predominant powers of Europe, must have on questions of universal interest not only incident to the course of the war, but which may enter into the discussions and arrangements for terminating it.

It will be your duty therefore to cultivate the good dispositions of the Emperor on every point interesting to the United States by assuring him of their sensibility to all the marks of his friendship, and of the value they place on it; by explaining to him the pacific and just principles which form the basis of their policy, by tracing the conformity of the rules of public law between belligerents and neutrals recognized by the United States, to those maintained by his Imperial Majesty, as far as this conformity may extend, and by pointing out the true grounds on which variations in those of the United States, may rest. You will be enabled to enter into these explanations by the documents communicated from time to time to Congress, copies of which you will possess, and by the accompanying copy of a letter of the 14th day of March, 1806, to

and the weight which the sentiments and interest of so rising a power must have, more particularly with Great Britain, will justify the species of interposition which you are authorized to use. This may be strengthened also by intimating that altho' the United States, taking into view their distance and abstraction from the powers of Europe, and the peculiar structure of their government, are unwilling to enter into any specific engagements, particularly of a military nature, yet that they could not see with indifference a violation of a system of rights so precious to them, and that they might not improbably avail themselves of the means which they possess in a peculiar degree, of making it the interest of commercial and manufacturing nations, to respect such a system." *Secretary of State to John Armstrong*, March 14, 1806. Ms.

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General Armstrong, a copy of which was transmitted to our consul at St. Petersburg.

It being impossible to know what the future conduct of the belligerent powers may be towards neutrals, or to foresee what particular policy in relation to this continent may find its way into a general pacification, it cannot be unimportant, to have, in a party so powerful and influential as Russia, a good will and wakeful attention to the just rights, and interests of the United States, as these may be involved in the course of events. To secure this advantage being the primary object of your mission, these general instructions will for the present be sufficient.

As there may, however, be a desire on the part of the Emperor to enter into explanatory or declaratory stipulations on points affecting the relations of belligerent with neutral powers, or into conventional regulations for the commerce between the two countries, an early opportunity will be taken to forward such further instructions as will explain the views of the President in these respects.

In the mean time, you will let the Russian government understand that the existing laws of the United States which place Russia on the footing of the most favored nation, entitle their citizens to a correspondent footing in the commerce of that Empire; and it will be proper for you, availing yourself of the information and experience of Mr. Harris, to promote such changes in existing regulations as may have that tendency, or be otherwise favorable to the commerce of the United States.

You will find no difficulty in presenting the embargo in lights, which will satisfy his Imperial Majesty that it was prescribed by the circumstances in which the commerce of the United States was placed by the destructive edicts of Great Britain and France; and that as the efficacy of the measure would be frustrated by exceptions in reference to more just and friendly nations, they could not be made even in behalf of our commerce with Russia, who is seen with satisfaction to have avoided those belligerent examples, by limiting her retaliating decree of [ ] to cases, within the

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uncontested authority of every nation. Whether in this limited interdiction his Imperial Majesty has consulted the best interests of his subjects, as well as exercised no more than a rightful authority, is a question which belongs to himself alone to decide.

As it will best consist with other public arrangements, that you pass thro' France on your way to St. Petersburg, the dispatches for our minister at Paris will be committed to your charge. They will inform him of your destination, leaving to yourself, the more particular disclosures which it may be useful for him to receive. As the relations which may then subsist between that country and Russia, cannot now be known, it will rest with your own discretion, enlightened by information on the spot, to regulate the degree of reserve as to your mission, by the use which the French government might be likely to make of any knowledge gained on the subject. Our minister in London will also be made acquainted with your mission, and instructed to observe a like course with respect to the British government.

You will find at St. Petersburg, in the character of consul of the United States Mr. Levett Harris, who is considered as standing well there, and has received more than ordinary marks of attention even from the Emperor himself. I recommend him to your regard, confiding that he will merit it, and that his good dispositions and acquired information will be useful to you. A letter which I have written to him is herewith inclosed, as also copies of his late letters to this Department, and of certain communications from the Russian government made through him. I leave the letter to be sealed after your perusal of it. In attending to the communication relative to Sweden, you will of course restrict yourself to expressions of mere amity and civility. The tenor of your observations on the ordinance relating to trade between Russian and British ports, is suggested by those in the above paragraph.

The President will expect from you the most exact and ample communications, for which opportunities may be found. The cypher with which you are furnished, being the same with that of our minister at London, you will be able to correspond confiden-

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tially with him as far as may be useful. You will do well to obtain at Paris, a copy of General Armstrong's cypher also, for the like purpose. The advantage of corresponding with those ministers, in cyphers known to this Department, is, that in their transmitting hither information received from you, the labor and delay of translating it into another cypher may be avoided. I beg leave to intimate also the conveniency of using always in your correspondence, with this Department at least, good paper, of the same size, and with outward margins for guarding the text, and inward ones for the sake of binding the letters, and thereby having a record free from the trouble and the errors of transcribing. . . .[1]

TO ROBERT SMITH

BOSTON, 5 July, 1809.

SIR:

I had the honor yesterday of receiving your letter of 29th ultimo, inclosing a commission as minister plenipotentiary

[1] "I observe that nothing is said in the instructions, either to Mr. Short or to me, respecting the *presents*, which have heretofore been considered at the Russian Court, as *indispensable*, on the admission of a foreign minister.

"A refusal on the part of Congress under the Confederation, to comply with this custom, was the occasion of Mr. Dana's returning home from St. Petersburg, without being received as a public minister. Whether the Russian Court has in this instance determined to waive an usage, which I believe is still maintained in others, or whether there has been any understanding between the two governments upon the subject, I can only conjecture; but as the expense of making such presents is not included in the number of those which I am authorized to incur, without specific and further authority, I should have been happy, were it possible, to have received the President's directions in this respect before my departure." *To the Secretary of State*, July 27, 1809. Ms. See *John Adams to Benjamin Rush*, January 21, 1810, in *Works of John Adams*, IX. 626. "Under an impression that presents on such occasions are not required, your instructions have not contemplated such a state of things. If, however, you should find that at the Russian Court they are customary and are expected, I am directed by the President to inform you that you are to consider yourself authorized to make them." *Secretary of State to John Quincy Adams*, October 23, 1809. Ms.

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to the Emperor of Russia. In requesting you, sir, to offer to the President my respectful acknowledgments for the expression of his wish that this appointment might be agreeable to me, I cannot but add the request, that you would accept the like acknowledgments to yourself, for the obliging manner in which you have communicated this information.

Considerations of a powerful nature, arising from my personal circumstances and those of my family, would at this time restrain me from leaving for so distant a region, and so incertain a period of absence, the land of my parents and of my children; and in consulting the operations of my own judgment, a doubt might perhaps remain, whether any service it may be in my power to render my country on this mission, can outweigh that which I must abandon in my present relations with society. Yet a firm conviction, that the first object of the President's administration is the welfare of the whole Union, and an ardent desire to contribute whatever aid I can give to a purpose which has all the wishes of my heart, reconcile me to the station where the regular authority of the country has deemed it best to place me, and induce my acceptance of the office.[1]

From the situation of my private affairs, and of my connection with the University in this neighborhood, which must now be dissolved,[2] I do not think I could name an earlier day than the 15th of August, as that on which I could leave the United States. But from that time the period of

[1] See Adams, *Memoirs*, July 5, 1809.

[2] "In taking my leave of you, Gentlemen, as an officer of the institution under your direction, I cannot forbear requesting you to accept the assurance that, whether at home or abroad, under every circumstance and situation of life, I shall never cease to feel the warmest attachment to the interests and welfare of that seminary, under whose tutelary guidance it will ever be my pride to have been a pupil and an instructor." *To the President, etc., of Harvard University*, July 7, 1809. Ms. The chair was filled by Rev. Joseph McKean, who held it until 1818.

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my departure must depend upon the opportunities of passage which may occur directly to Russia, or at least to the north of Europe.

A number of applications which have already been made for the situation of my secretary on this mission leads me to the inquiry, what provision in this respect is contemplated by the President, and whether the choice of a secretary is left with me. I shall wait your instructions in this and other respects, and remain in the mean time with perfect respect, sir, etc.

TO THE SECRETARY OF STATE

[Robert Smith]

Boston, 7 July, 1809.

Sir:

When I had the honor of writing you on the 5th instant, I had not the opportunity of obtaining information which I have since received, respecting the earliness of the season when the navigation of the Baltic is closed, nor of knowing that I could obtain at such time as would suit my own convenience of departure, during the continuance of the regular season, an opportunity for a passage *direct* to St. Petersburg.

Since then, I have been informed by Mr. William Gray, of this town, that he has a vessel with suitable accommodations, which he would readily dispatch for that place, at any time until the last of this month. But that after that time, the navigation becomes too hazardous to be attempted.

Under these circumstances I have determined, if it meets with the President's approbation, to accelerate the period of my departure, and calculating that I may receive an answer to this by the 20th of this present month, will be ready to

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sail by the 25th, if honored before that time with your instructions and orders to that effect.[1]

I have engaged to take with me, if the choice be left to me, my nephew, William Steuben Smith,[2] as my private secretary. I have received several applications from young gentlemen of the most respectable character and connections to accompany me under the protection of the legation, and in the capacity of secretaries, but with the expectation of providing altogether for their own expenses, and to occasion no charge to the government. I have consented on these terms to take three persons. The son of General Smith of Baltimore,[3] a son of Mr. William Gray,[4] of this town, and Mr. Alexander Hill Everett, also of this town. They are all of them young men of perfectly fair characters, all personally known to me; and although I have no expectation of having much employment for them as secretaries, a belief that their object in this pursuit is highly laudable in itself, and may in its consequences be useful to the country, has induced me to promise a compliance with their wishes, unless the President, or you, sir, should perceive some objection to it, of which I am not aware. I have thought it, however, my duty not to make any positive engagement with them, without

[1] On July 24 the Secretary of State wrote that he feared Adams would "not now be able to proceed to any port in Russia in a private vessel;" and on the 31st informed him that the frigate *Essex* had been ordered to Boston to take him and his family to Russia, "as it is presumed that the late change in the aspect of our affairs with Great Britain, or some other consideration, may induce you to prefer going out in a public rather than a private ship." This second letter reached Adams in St. Petersburg late in December.

[2] Son of William Stephens Smith. May 2, 1810, his commission as secretary of legation was issued, and a second on March 4, 1811.

[3] John Spear Smith, son of Samuel Smith. He sailed in the *Pallas* for Christiansand, reaching that port two days after Adams had left it, so he came to St. Petersburg through Sweden.

[4] Francis Calley Gray (1790–1856).

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informing you of the circumstances and of their names, and of inquiring whether there would be on the part of the government any objection to this arrangement. I trust it need not be added that as their purpose is to occasion no expense to the government, so the only advantage that I am to derive from having them attached to the legation will be the pleasure of their company, and such aid in the performance of a private secretary's duties as they shall voluntarily give. I have the honor, etc.

TO WILLIAM EUSTIS

BOSTON, 16 July, 1809.

MY DEAR SIR:

I have received your favor of the 6th instant, which I wish very much to answer at considerable length, but am obliged to deny myself that pleasure in consideration of your time and my own.

I have determined to *go*. Inclining myself, to the belief, that home and a private station was a position in which I could have served the country and aided Mr. Madison's administration, (which is the same thing) more usefully than upon this mission, I have yet acquiesced in the judgment of those to whom the Constitution has left it, and who have thought best to place me abroad. I could not be insensible to the spontaneous and unsolicited token of the President's confidence, manifested in the nomination at the commencement of his administration, nor was it consistent with my sense of my own duties, to meet that confidence with a temper of hesitation or of coolness in regard to the mode, or the place where, *he* conceived I might be useful to the cause. . . .

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I shall hope to have the pleasure and benefit of your private correspondence while abroad. But you must let me know whether I can write to you or to anybody else, anything but what may appear in the newspapers. I shall certainly have nothing to reserve from the President or the Secretary of State, and if it is understood that nothing is to be written, but such matter as may be yielded to a *call for papers*, I shall conform to such intention as well as I can.

I have received from Mr. Daschkoff [1] a very polite letter, expressing his pleasure at the mission to Russia, and proposing, if I conveniently could, to meet him at New York previous to my departure. Though it would have given me much pleasure to have made an acquaintance with him, I had not time enough for such a journey, and felt myself obliged to wait here for my final orders, and so I answered him.

The aspect of affairs with France is less promising than could be wished. Although we wish to deal in fairness and equal justice with both belligerents, their conduct towards us will follow the character of their own good or ill success. Bonaparte appears to have at present as much upon his hands as he needs, and what he gains in Germany, he loses, it would seem, in Spain and Portugal, if not in Italy. He has stretched the bowstring till it cracks. He may as well reserve his resentments against us, and I hope he will until he shall see cause to forget them. I am, etc.[2]

[1] André de Daschkoff, Russian chargé d'affaires and consul general in the United States.

[2] Two days after this letter was written, intelligence was received at Boston, by way of Halifax, that the British government had disavowed the arrangement made by Mr. Erskine in April, and that Russia had declared war against Austria.

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TO THOMAS BOYLSTON ADAMS

At sea, 7 August, 1809. Monday.

MY DEAR BROTHER:

. . . . . .

I expect that these lectures [1] will be handled without mercy by the critics on both sides the water. Besides all their real defects, which I know to be neither few nor small, there will be the national malignity at work in Great Britain, and the political malignity at work in America, with an industry and sagacity fully proportioned to their virulence. At whatever period they should have appeared, they never could have escaped the severest ordeal. But I regret that I had not the time to prepare them better for their conflict with the world.

I anticipate no benefit to my own reputation from them, but if anything, the contrary. Yet I feel an undoubting confidence that they will do good. They will excite the genius, stimulate the literary ambition, and improve the taste of the rising generation. They will probably lead to something better of the same kind, and the very keenness with which they will be assailed, may contribute to aid the cause of literature in America. If they should survive the first fire of their allied adversaries, and I have the leisure which I promise myself, they may be much improved in a future edition. To live in the memory of mankind by college lectures is not the aim of a very soaring ambition, but I have no reason to look for any higher glory from posterity, and with that I ought to be content, if he who rules the destinies

[1] His lectures on rhetoric, delivered at Harvard University, and now left with his brother for publication. They appeared in two volumes.

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of men has so decreed. At least may he never suffer me to wish for any other glory, than that of doing good.

In the valedictory part of my closing lecture, when I called the students my *unfailing* friends, and supposed the possibility of an occasion in their future lives, upon which friendship might deem it prudent to desert them, I had a meaning the whole of which they probably did not understand, but which others concerned did understand full well. I had seen the occasion upon which friendship did in more than one instance deem it prudent to desert me. But I had read and heard something before about the stability of human friendships, and I had never been guilty of supposing that human nature would change its character for me. The compliment to the students was justly their due. For they had withstood a most ingenious and laborious attempt to ruin me in their estimation.[1]

An attempt, the baseness and the cunning of which betrayed its origin to me, as plainly as if it had borne its name in capitals upon its front. An attempt upon their hearts through the medium of their understandings — sophistry pimping for envy. But the crawling passions of selfish subtlety often stumble over the *generous* feelings of human nature, upon which they found no calculation, because they cannot comprehend their existence.

[1] "In the mortifications of disappointment, the soothing voice of the love of letters shall whisper serenity and peace. In social converse with the mighty dead of ancient days, you will never smart under the galling sensation of dependence upon the mighty living of the present age; and in your struggles with the world, should a crisis ever occur, when even friendship may deem it prudent to desert you; when even your country may seem ready to abandon herself and you; when even priest and Levite shall come and look on you, and pass by on the other side; seek refuge, my unfailing friends, and be assured you will find it, in the friendship of Laelius and Scipio; in the patriotism of Cicero, Demosthenes and Burke; as well as in the precepts and example of him, whose whole law is love, and who taught us to remember injuries only to forgive them." Adams, *Lectures on Rhetoric and Oratory*, II. 396.

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Youth is generous, and although the majority of the students were made to believe that I was a sort of devil incarnate in politics, (about which I could not talk to them,) yet they never could be persuaded to believe, that I was the ignorant impostor in literature, which in so many painful pages was undertaken to be proved for their edification.

The last two years of my life have indeed brought home to my bosom the good as well as the bad workings of human nature in a multitude of forms, and they have all confirmed me in the belief, that the safest guide for human conduct is integrity. I have inflexibly followed my own sense of duty, relying upon my own understanding. I have lost many friends and have made many enemies. Some of the friends that I have lost are deeply to be regretted, and most of the enemies that I have made are of the most inveterate kind, "foes who once were friends." But on the other hand, some enemies have been converted into friends, and many men, unexpected and active friends, have risen around me, while the others were falling off. But the students at college are not the only steady friends that I have had. There are more than one further advanced in life, whose confidence in me has remained unshaken through good report and evil report. Among the foremost of whom I will mention two, Judge Davis [1] and Mr. Emerson,[2] with the hope that you and my father will cultivate their friendship in my absence. They have been willing still to be considered as my friends, at a time when neither my name nor my character was in fashionable repute among their associates. I hope I shall not forget it.

. . . . . .

[1] John Davis (1761–1847) of Plymouth, United States District Judge, Massachusetts, 1801–1847.

[2] William Emerson (1769–1811), father of Ralph Waldo Emerson.

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TO ABIGAIL ADAMS

At sea, 500 miles from you, 9 August, 1809.

. . . . . .

On Saturday morning, I received by the mail just before I came on board, a letter from Mr. Webster,[1] of New Haven, requesting me to procure for him, if I can, a Russian dictionary and grammar, with some other books, a commission which I shall take pleasure in executing. He is prosecuting his plan of a large English dictionary, and although my sentiments on such subjects do not agree entirely with him, I wish that his industry may meet with its rewards, and his ingenuity with encouragement. He published two or three years since a letter to Dr. Ramsay, of South Carolina, containing some censures upon Johnson's *Dictionary*, and some criticisms on other writers, which I thought incorrect.[2] In one of my lectures I noticed this letter, and contested several of its criticisms, but on delivering the lectures to Mr. Hilliard for the press I struck out that passage, requesting him not to print it. I had not changed my opinion, but I thought it might have an appearance of ill-will from me to Mr. Webster, which I certainly did not feel, and that it might discourage his undertaking more than it ought. I am however much inclined to have a copy taken of the passage which I expunged from the lecture, and sent to Mr. Webster himself. For if he should profit by it, as a man of sense always may profit by friendly censure, it will be more useful to him and his work than any Russian dictionary or grammar.

. . . . . .

[1] Noah Webster.

[2] *A Letter to Dr. David Ramsay*, 1807.

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TO WILLIAM PLUMER

16 August, 1809 (written at sea).

MY DEAR SIR:

Among the letters which I received a few days previous to my departure from Boston, and which the precipitation with which I was obliged to hasten it prevented me from answering, I am almost ashamed to acknowledge, was your very kind favor of July. I say ashamed to acknowledge it, because in examining rigorously the causes which occasioned this omission, I cannot but say to myself, and am sensible you will have reason to think, that however short my time was, I ought to have *made* an hour at least, for the expressions of grateful sensibility to the obliging attentions of friendship.

To repair as much as remains within my power the fault from which I cannot altogether discharge my own mind, I take at least the earliest opportunity after my embarkation, to do what ought to have preceded it, and to assure you that, while absent from our country, I shall feel myself highly indebted to you for the benefit of your correspondence, whenever your convenience, and the opportunities of a navigation so restricted as I am afraid ours will too long continue to be, may permit. And in telling you how much I shall prize your correspondence, independent of the gratification which you will readily conceive an *exile* from his native land may derive from every token of remembrance coming from those he most highly values in it, I may add, that the confidence with which I shall receive from you either intelligence or opinions, will be founded on a sentiment very deeply rooted in my experience and observation, that you see more clearly, and judge more coolly of men and things relating to our

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political world, than almost any other man with whom it has been my fortune to act in public life.

The spirit of party has become so inveterate and so virulent in our country, it has so totally absorbed the understanding and the heart of almost all the distinguished men among us, that I, who cannot cease to consider all the individuals of both parties as my countrymen, who can neither approve nor disapprove in a lump either of the men or the measures of either party, who see both sides claiming an exclusive privilege of patriotism, and using against each other weapons of political warfare which I never can handle, cannot but cherish that congenial spirit, which has always preserved itself pure from the infectious vapors of faction, which considers temperance as one of the first political duties, and which can perceive a very distinct shade of difference between political candor and political hypocrisy.

It affords me constant pleasure to recollect that the history of our country has fallen into the hands of such a man.[1] For as impartiality lies at the bottom of all historical truth, I have often been not without my apprehensions, that no true history of our times would appear at least in the course of our age; that we should have nothing but federal histories, or republican histories, New England histories, or Virginia histories. We are indeed not overstocked with men capable even of this, who have acted a part in the public affairs of our nation. But of men who unite both qualifications, that of having had a practical knowledge of our affairs, and that of possessing a mind capable of impartiality in summing up the merits of our government, administrations, oppositions and people, I know not another man with whom I have ever had the opportunity of forming an acquaintance,

[1] The Plumer Papers, in the Library of Congress, contain the manuscript of this "History," which was never completed or published.

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on the correctness of whose narrative I should so implicitly rely.

Such a historian, and I take delight in the belief, will be a legislator without reading constituents. You have so long meditated on your plan, and so much longer upon the duties of man in society, as they apply to the transactions of your own life, that I am well assured your work will carry a profound political moral with it. And I hope, though upon this subject I have had no hint from you, which can ascertain that your view of the subject is the same as mine, but I hope, that the *moral* of your history will be the indissoluble union of the North American continent.[1] The plan of a New England combination more closely cemented than by the general ties of the federal government, a combination first to rule the whole, and if that should prove impracticable, to separate from the rest, has been so far matured, and has engaged the studies, the intrigues and the ambitions of so many leading men in our part of the country, that I think it will eventually produce mischievous consequences, unless seasonably and effectually discountenanced, by men of more influence and of more comprehensive views. To rise upon a division system is, unfortunately, one of the most obvious and apparently easy courses, which plays before the eyes of individual ambition in every section of the Union. It is the natural resource of all the small statesmen who, feeling like Caesar, and finding that Rome is too large an object for their grasp, would strike off a village where they might aspire to the first station, without exposing themselves to derision. This has been the most powerful operative impulse upon all the *divisionists*, from the first Kentucky con-

[1] The point was well taken, as Plumer, unknown to Adams, was cognizant of the plans of certain federalists in 1804 and sympathized with their aims. Adams *New England Federalism*, 106, 147.

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spiracy, down to the negotiations between Massachusetts, Connecticut, and New Hampshire, of the last winter and spring. Considered merely as a purpose of ambition, the great objection against this scheme is its littleness. Instead of adding all the tribes of Israel to Judah and Benjamin, like David, it is walking in the ways of Jeroboam, the son of Nabat, who made Israel to sin by breaking off Samaria from Jerusalem. Looking at it in reference to moral considerations, it is detestable, as it certainly cannot be accomplished by open and honorable means. The abettors are obliged to discover their real designs, to affect others, to practice continual deception, and to work upon the basest materials the selfish and dissocial passions of their instruments. Politically speaking, it is as injudicious, as it is contracted and dishonorable. The American people are not prepared for disunion, far less so than these people imagine. They will continue to resist and defeat every attempt of that character, as they uniformly have done, and such projects will still terminate in the ruin of their projectors. But the ill consequences of this turbulent spirit will be to keep the country in a state of constant agitation, to embitter the local prejudices of fellow-citizens against each other, and *to diminish the influence which we ought to have, and might have, in the general councils of the Union.*

To counteract the tendency of these partial and foolish combinations, I know nothing so likely to have a decisive influence as historical works, honestly and judiciously executed. For if the doctrine of union were a new one, now first to be inculcated, our history would furnish the most decisive arguments in its favor. It is no longer the great lesson to be learnt, but the fundamental maxim to be confirmed, and every species of influence should be exerted by all genuine American patriots, to make its importance more

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highly estimated and more unquestionably established. I should have been glad to see a little more of this *tendency* in Marshall's *Life of Washington*, than I did find. For Washington was emphatically the man of the whole Union, and I see a little too much of the Virginian in Marshall. Perhaps it was unavoidable, and perhaps you will find it equally impossible to avoid disclosing the New England man. I have enough of that feeling myself most ardently to wish, that the brightest examples of a truly liberal and comprehensive American political system may be exhibited by New England men.

I regret that I could not have the pleasure of a full and confidential personal interview with you before my departure. My father, I am sure, will be happy to see you at Quincy, and to furnish you any materials in his power. He has been for the last three months publishing papers, which I think will not be without their use to your undertaking.

Adieu, my dear sir, I write you this letter on the Grand Bank of Newfoundland, after passing the night in catching cod, of which in the interval of a six hours calm we have caught upwards of sixty. In the association of ideas there is no very unnatural transition from cod fishing on the Grand Bank to the history of the United States. No man will I trust be better able than yourself to supply the intermediate links in this singular concatenation. Let me only hope it will appear to you as natural a transition, as that from any subject whatsoever, to the assurance of that respect and attachment with which I subscribe myself, etc.

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TO THE SECRETARY OF STATE

[Robert Smith]

Christiansand in Norway, 23 September, 1809.

Sir:

I have the honor of informing you, that I sailed from Boston the 5th of August in the ship *Horace*, Captain Bickford, and met with no interruption in the progress of my voyage, until we arrived on the coast of Norway.[1]

On the 17th, the day before we made the land, the ship was brought to by an armed brig from which we were hailed in English, and our captain ordered to let down his boat, and go on board of her. This after an expostulation on his part, objecting to putting out his boat in the heavy sea that ran, which was answered only by a repetition of the order and a musket ball fired from the cruiser's forecastle as the vessels lay along side, as near as they could be worked to each other, was attempted, and found impracticable. After reaching with great difficulty his own ship again, Captain Bickford hoisted in his boat, hailed the cruiser again, and declared the impossibility of getting on board of her with his boat, upon which she left us, without venturing out her own boat and without showing any colors. She must probably have been English, as no other armed ships of that force are upon this coast.

The next day, being the 18th, we made the land, and the day following were successively boarded by two British cruisers, who after examining the papers permitted the ship to proceed.[2] As there was an appearance of stormy weather,

[1] The incidents of the voyage are related in Adams, *Memoirs*.

[2] One of these vessels was the *Rover*, Captain McVicker.

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and the wind ahead, our captain concluded to make a harbor, and we came into that of Flecknoe, about four miles distant from this place. After we had a pilot on board, we were boarded by a small two mast boat, sent out from the gun-boats stationed here, the lieutenant [1] of which manifested a disposition to take possession of the ship.[2] This however was not done, and the commanding officer of all the gun-boats and other naval force in Norway, Fischer, who is accidentally here at this time, and who has shown me the greatest attention and civility, apologized to me for the conduct of his lieutenant.

Not having a passport, I was obliged to exhibit my commission itself to the commanding officer of the gun-boats, to authenticate my character, to which every respect customary among nations has been paid. The weather has detained us here three days, and the equinoctial gale is still raging. I found here upwards of thirty masters of American

[1] Kraff.

[2] To his brother he wrote more fully upon this incident: "The harbor of Christiansand was in sight, and having a head wind and an approaching gale, Captain Bickford concluded to touch there, procure some fresh stores and wait for a more favorable wind. After we had a pilot on board, came a two mast boat, with a swivel, a Danish lieutenant and about twenty men armed with swords, and boarded us. He insisted upon *taking us* into Christiansand; upon which Captain Bickford told him he would not go in at all; wore his ship about and stood to sea. The lieutenant ordered his men in the boat to come on board; the Captain ordered his men to keep them off, and pikes and swords and axes were in immediate opposition to each other. The lieutenant, finding himself the weakest, made a signal to his men to stop, and none of them came on board. The boat was immediately cast off, and as we were standing to sea, he and the pilot became excessively alarmed, fearing that we were disguised English and would carry them off. The captain thereafter consulting me, concluded still to go into harbor, which we did under an island called Flecknoe, about four miles from Christiansand. The equinoctial gales came on and detained us there until yesterday afternoon, when we again made sail, and are now [September 24] within twenty leagues of Elsineur, which place we hope to reach tomorrow morning." The next day he had his meeting with Admiral Bertie.

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vessels and supercargoes, captured by Danish privateers between the months of April and August, and now detained for final adjudication in the admiralty court. More than half of them have been condemned in the inferior court, which sits at this place, and in most of the instances of acquittal the captors have appealed to the superior court at Christiania, by which the ships are still detained. All the expenses and very heavy costs are decreed against every one of the vessels, even when the decision has been against the capture.

A memorial from these unfortunate masters and supercargoes to the President of the United States was sent in July, which has doubtless before this time reached its destination.[1] A copy of it, and a letter from them to me, had before my arrival here been forwarded by duplicates to me to Elsineur [2] and to Petersburg.

They request my interposition with the Danish government in their behalf, and although having no authority from my government to speak officially to the Court of Denmark, my good offices may probably be of little or no avail to them. I propose, however, to attempt a representation in their favor at Copenhagen. The grounds upon which most of the sentences of condemnation are placed would leave no room to doubt the reversal of them at the higher court, should the merits of the respective cases operate as the only motives of decision. We are ready to proceed upon our voyage, and I shall put to sea the first moment that wind and weather will permit.[3] I have the honor, etc.

[1] Printed in *American State Papers*, Foreign Relations, III. 329.

[2] Helsingör, or Elsinore. Adams' spelling is retained.

[3] He sailed from Christiansand September 23. "At the entrance of the Sound we found the passage barred by two British armed ships, the *Stately*, a 64 gun ship, Admiral [Albemarle] Bertie, and a sloop of war [the *Curlew*]. After being boarded by a boat from the Admiral's ship, and passing the third time through the ordeal of

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TO HANS RODOLPH SAABYE [1]

COPENHAGEN, 30 September, 1809.

SIR:

Having received a commission as Minister Plenipotentiary from the United States of America to his Imperial Majesty the Emperor of all the Russias, and being upon my passage to St. Petersburg, accidentally driven by stress of weather into the harbor of Christiansand in Norway, I had the mortification to find there upwards of four hundred of my countrymen, the masters, supercargoes and crews of the greater part of thirty-six American vessels, belonging with their cargoes to citizens of the United States, captured and

examination, we were informed that all the ports of the island of Zealand being in a state of rigorous blockade, we could not be suffered to pass. I then went on board the Admiral's ship, exhibited to him my commission, and informed him that the ship was fitted out for the purpose of conveying me to the place of my destination. I also observed to him, that by the usages of nations I understood it was not customary to stop a public minister upon his passage. After some consideration he frankly admitted the usage, which he said ought to be respected by every liberal nation, and consented to our passage, on my giving him my word of honor that we would not commit a breach of blockade, by going voluntarily into any of the ports of Zealand. He expressed, however, a strong apprehension that we should be stopped and detained by the Danes.

"We passed accordingly, and as we came within about a mile of Cronborg Castle, were again boarded by a Danish gun-boat, the men from which took possession of the ship, and brought her to anchor in the roads. On information being sent on shore, similar to that I had given to Admiral Bertie, the Danes were all ordered to leave the ship, and our captain was informed he might proceed without interruption. On my going on shore the commandant of the castle sent an officer to ask for my passport. I went to him and exhibited again to him my commission, informing him that I had no other passport from the United States. With this he was satisfied." *To the Secretary of State*, October 4, 1809. Ms.

Being detained by head winds Adams went to Copenhagen, in the hope of being able to obtain relief for the American captains and seamen then detained by the Danish privateer operations.

[1] United States consul at Copenhagen.

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detained by privateers under Danish colors, and arrested for many months in that port. These vessels and cargoes, constituting a mass of property amounting to several millions of dollars, captured in the pursuit of their lawful commerce, and many of them belonging to merchants of the fairest and most respectable character, have not only been thus detained to the immense and almost irreparable detriment of their owners, but in many instances have been condemned in the lower prize court of Christiansand upon grounds, which I am persuaded can never be sanctioned by the higher court, and in many other instances the masters and crews of the vessels have been subjected to personal ill treatment.[1]

On my arrival at Elsineur I learnt with great concern that this unfortunate situation was not peculiar to my countrymen in Norway, but that sixteen other American vessels had been captured under circumstances nearly similar, and detained in this port and in Jutland. And although these have been all liberated, excepting two,[2] even by the decision of the prize court in the first instance, yet they have all been harassed by the obligation imposed upon them to pay costs, and in some cases even charges to the captors, and by the appeal of the captors from the sentences of the lower court, they have been reduced to the alternative either of sacrificing large sums of money to purchase an abandonment of the appeal, or of submitting to a detention still more expensive and ruinous.

In no instance whatsoever, either in Norway or here, have the captors been sentenced to pay damages, or even subjected to the payment of costs and charges, a circumstance the more striking, when connected with the consideration, that in some of the Norway cases the captors had not even

[1] See Moore, *International Arbitrations*, V. 4549.

[2] Condemned for gross and criminal misconduct on the part of the captains.

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a legal commission from his Majesty's government, authorizing to make the capture.

Although I have not the honor of being accredited to the court of his Danish Majesty, and can therefore not be authorized to make official representations in behalf of these my distressed countrymen in the name of my government, yet, as there is no other minister of the United States in this vicinity, and as I have been an eye witness of the unhappy situation in which so many of my fellow-citizens with their property is placed, I have felt it to be my indispensable duty to make some exertion in their behalf, and reposing the most perfect confidence in the justice, benevolence and humanity of his Majesty, I have been persuaded that the circumstances I have here mentioned, at least in their aggravations, could not have been made known to him; that this government would on such an occasion admit of representations, anticipating the authority which that of the United States alone can give, and would welcome from any quarter a statement which would furnish the means of releasing from distress and injury so great a number of citizens of a friendly nation, whose interests and whose feelings have ever cordially sympathized with those of Denmark, and with whom a commerce entirely beneficial to both parties had heretofore been so happily maintained.

With this view I have proceeded to this place, in the hope of being honored by an interview and conference with his Excellency the Minister of State, Count Bernstorff,[1] but have had the disappointment to find that he is not in the city, and the lateness of the season rendering the remainder of the navigation to St. Petersburg daily more impracticable, makes it impossible for me to wait the uncertain period of his return.

I therefore take the liberty of requesting you, sir, as the

[1] Christian Günther, count von Bernstorff (1769–1835).

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officer of the United States especially charged with the commercial interests of their citizens in this kingdom, to lay the substance of this representation before his Excellency Count Bernstorff upon his return, and to solicit of his Excellency such interposition of his Majesty's government for the relief of those American sufferers, as he in his wisdom shall think just and proper.

The United States, whose people have so long and so constantly been accustomed to find in the Danish government one of the greatest and most ardent defenders of neutral rights, and who, in the name of Bernstorff, for more than one generation have learnt to revere their firm and able supporter, may still further corroborate their expectation of complete and final justice to their citizens, by the reference to their own conduct towards the subjects of his Danish Majesty's under cases of some resemblance to those which occasion this letter. During the period of partial hostility between the United States and France, in the years 1798 and 1799, when certain Danish subjects and property had been captured by American armed vessels, though under circumstances of more colorable suspicion than many of those alleged by the Norway prize court as motives of condemnation, yet on final trial before the Supreme Judicial Court of the United States, not only complete restitution was awarded to those of Danish subjects, but heavy damages imposed upon the captors, the payment of which I believe has in more than one instance been made by the United States themselves.

It has given me much satisfaction to be informed that for some time past the privateers, whose depredations and outrages had occasioned all those grounds of complaint, have been by his Majesty's orders suppressed. It might, therefore, be less necessary to remark, that their practice was to carry in without discrimination every American that they

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boarded, without any examination of their papers whatsoever. But as this suppression must naturally have resulted from the demonstration having been made to his Majesty of the excesses committed by these privateers, may it not be urged, as an additional motive for a special interposition of his Majesty's government, at least to *accelerate* the final decisions of the prize courts, which can alone stop the accumulation of loss and injury to the Americans, who have been detained in a manner so little conformable to the most unquestioned principles of neutral right. To give additional energy to this request as it regards the Norway cases, it may not be improper to state, that the Americans thus confined at Christiansand are not only suffering already from a scantiness of obtaining the means of subsistence, but that by contributing to increase the scarcity of provisions, they add inevitably to the wants of the inhabitants of the place, inasmuch that the magistrates have already thought it necessary to limit the purchases which the Americans there are allowed to make for the supply of their own necessities.

I forbear, sir, to recount details of complaint important to individuals, but which, however they might be regretted by his Majesty's government, it would be found difficult to redress; the great object for which I would solicit their interposition is, to obtain the liberation as speedily as possible of those to whom every day of detention is a heavy charge of expense and loss, and who from the condition of their captors, have every reason to believe that in the last resort their only expectation of *indemnity* for their losses and injuries, will be in the justice of this government itself, to assume that burden which the captors have as little the ability as the will to discharge. I have the honor, etc.[1]

[1] Saabye was not only a Danish subject, but he was a member of the commercial house of Ryberg, which had some interest in the privateers. "There are certain

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TO THE SECRETARY OF STATE

No. 4. [ROBERT SMITH]

ST. PETERSBURG, 14/26 October, 1809.

SIR:

On the 21st instant I had the honor of writing you from Cronstadt,[1] and the next day came up in a passage boat belonging to the government, furnished by order of the Admiral at Cronstadt, to this place. Soon after landing I called upon the Consul General of the United States, Mr. Harris, and through him announced my arrival to his Excellency Count Romanzoff,[2] High Chancellor of the Empire. His Excellency appointed last evening at seven o'clock to receive my visit, which I accordingly made, and was intro-

particulars forming some of the principal causes of complaint among the Americans detained, which perhaps a native American would remonstrate with more propriety and more energy than a Danish subject. Among these are some of the regulations prescribed by the Danish law for the regulation of privateers, issued in October, 1807, and which has laid the foundation for all their subsequent depredations. The constitution of the inferior prize court is, also, not only propitious to the interests of neutrals, consisting either of two naval officers and a civil judge, or of one naval officer and one civil judge, the voice of the former always preponderating in case of a difference of opinion. This has been always the composition of the prize court in Norway; and the greater part of the American vessels and cargoes condemned there, have been sentenced under this casting vote of the naval officer, against the opinion of his colleague. The examination of the captain and crew of the captured vessels is also conducted in a manner which occasions much embarrassment, not only as being in a language which they do not understand, but as neither they nor the owners of the captured party are allowed the benefit of counsel in the lower court, the opportunities of tampering with the crews, and even with the captains, to betray the interests of their owners, and the truth, have not been neglected, and, I am sorry to say, in some cases not unsuccessful." *To the Secretary of State*, October 4, 1809. Ms.

[1] He arrived at Cronstadt on that day.

[2] Nicholas, count Rioumiantzof (1754–1826), statesman and man of letters. The English form of the name has been adopted in these volumes.

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duced to him by Mr. Harris. My appointment to this mission was already known here, not only from Mr. Harris, but by an official communication from General Armstrong to Prince Kurakin, the Russian Ambassador at Paris.

Having mentioned to the Chancellor my wish to obtain an audience of the Emperor, he said that he would take the orders of his Imperial Majesty upon my request this morning; that his Majesty was at this moment confined to his chamber by indisposition, but he would be out again in the course of a few days. In the meantime he assured me, that the information of this mission from the United States had been very agreeable to the Emperor. My conversation with the Chancellor on this occasion was, of course, short, and confined much to general and indifferent topics. It was however sufficiently long for him to manifest the most amicable dispositions towards the United States and their government. He mentioned that, as a mere matter of form, it would be necessary for me to furnish him a copy of my credential letter. Presuming that he would make this demand conformably to the usage in most of the European governments, I had a copy, together with a French translation of it, in my pocket and delivered them to him.

He had been informed of my having passed through Copenhagen on my way to this place, and having mentioned it, I took the occasion to state to him the motive of my visit to that city. He expressed a strong disapprobation of the very extraordinary proceedings in Denmark towards the commerce of the United States, and said that his government had some strong reasons of complaint on the same account. He observed, that it was to be lamented that a more liberal system of conduct towards neutral navigation could not be established by the common consent of all nations, but this was a dream, — "mais c'est un rêve" — and as

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long as it was not universally recognized, it was not possible that it should be invariably observed by any partial combination. That notwithstanding the exemplary wisdom and moderation of the American government, they had found by the negotiation with England, so often terminated to begin over again, — "si souvent conclues, pour recommencer" — how difficult it was to obtain this security for our commerce.

I said that the United States had indeed found that negotiation with England upon the subject of commercial rights on the sea was no easy undertaking, but that I did not yet despair of seeing the liberal system established by the universal consent of all nations. That in the progress of human society it had not been found impracticable to prevail upon mankind by degrees to abandon many barbarous usages in war, and that I could not readily renounce the hope of seeing all mankind become ashamed of cruel and inhuman customs upon the seas, as well as upon the land. He replied that it was much to be desired, but he feared the prospect of this fortunate state of things was yet distant. There was, however, he added, this day the promise of an important and happy step towards a general pacification. A courier had this day arrived with a letter from the Emperor of France to the Emperor Alexander informing him, that the terms of peace between France and Austria were substantially agreed upon, and that in all probability the treaty would be concluded in a few days.[1]

As I was taking my leave the Count apologized for a deviation from all formality to an opportunity, to express

[1] Copies of Napoleon's letter were in private circulation in St. Petersburg. It contained the following sentence: "Les États unis sont au plus mal avec l'Angleterre, et paraissent vouloir sincèrement et sérieusement se rapprocher de nôtre système."

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himself in terms of the warmest personal regard for Mr. Harris. This gentleman appears, indeed, to have conducted himself in a manner so highly acceptable to this government, as not only to have acquired a personal consideration enjoyed by few even among the diplomatic characters accredited to the Emperor, but to have contributed much to the favorable dispositions towards our country entertained by his Imperial Majesty.

He has already transmitted to you a copy, officially communicated to him by the Chancellor, of the treaty of peace between Russia and Sweden, a treaty highly advantageous to this country, as it annexes to its territories the whole important province of Finland, thus uniting both sides of the gulf under the Russian dominion, and placing under the said subjection one half the gulf of Bothnia, with the island of Åland which commands its mouth.[1]

The article which stipulates the total exclusion of British vessels, whether of war or commerce, is of vast importance to the ultimate success of what is called in the treaty the continental system. The free admission to the ports of Sweden has substantially given to the British the complete command of the Baltic, and a circulation to the commerce and productions of Britain throughout the north scarcely inferior to that of peaceable times. Excluded from the ports of Sweden, as they already were from all others within the Baltic, they will find it difficult to maintain a naval force in that sea, which more than all others requires for fleets navigating within its compass harbors of refuge from its storms. I have the honor, etc.[2]

[1] The Peace of Frederikshamn, September 17, 1809.

[2] He was presented to the Emperor and Empress, November 5, 1809. See *Memoirs*.

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TO THOMAS BOYLSTON ADAMS

St. Petersburg, 16/24 November, 1809.

My last letter brought our good ship *Horace* to anchor safe in the Road of Elsineur, on the 28th of September. At that place we were detained a full week by adverse winds. Having been informed upon my landing there, that the King of Denmark [1] and his principal minister, Count Bernstorff, were both absent from Copenhagen, I gave up in the first instance the intention of going thither. But having received from several masters of vessels and supercargoes detained there a very urgent letter requesting me to come, I went with Mr. Smith and made an attempt to see the Minister, who was not at Copenhagen but at his country seat a few miles distant from the city. He was, however, unfortunately absent from home, and I could not wait for his return. I saw however Mr. Saabye, the American consul at Copenhagen, and wrote him a letter containing a representation in behalf of the Americans detained, requesting him to lay it before the Danish [minister], which he promised he would do. It was on the 30th of September that I went to Copenhagen. The next day I returned to Elsineur, and the morning after embarked again on board the ship. We lay wind bound in Elsineur Roads until the morning of 5 October, with the Danish pilots on board. One to carry us *over the grounds*, and the other to conduct us up the Baltic and the Gulf of Finland. From Elsineur to Copenhagen the distance by water is about 25 of our miles coastwise, along the shores of a beautiful country, interspersed with villages, country seats and palaces, on the island of Zealand, and all the way within sight of the Swedish coast, which though more remote from

[1] Frederick VI. (1768–1839), son of Christian VII.

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the eye presents a variety of pleasant prospects and one or two considerable seaports on the passage. Nearly about midway, lies a small island now belonging to Sweden called Hveen, formerly the residence of the celebrated Danish astronomer Tycho Brahe, and where his observatory was situated. I was told that the ruins of the building were still to be seen, but they were not discerned by us. A few farm houses and fishing huts, a church and the dwelling house of the Swedish nobleman [1] now the proprietor of the island, were the substitutes which we could discover, and were obliged to content ourselves with instead of the astronomical ruins. One morning while we were yet anchored at Elsineur, we saw a British ship of the line lying anchored under this island of Hveen. Soon after a ship came down from under her guns, and without showing any colors kept close upon the Swedish shore, apparently with an intention to pass the Castle without stopping. Five or six guns from the batteries of Elsineur, which were successively fired at her, not having proved sufficient to bring her to, three large flat-bottomed gunboats full of men were sent out after her from the harbor, and notwithstanding an attempt on her part to turn back and get under the guns of the man of war, they took and brought her in. The two-decker then came down and anchored abreast of us, and within the reach of cannon shot but gave us no further trouble. The ship taken was the *Concordia* of New York.[2] For the attempt to pass the Castle she was detained and sent to Copenhagen, since which I have not heard what has been her fate.

The passage of the Sound widens very gradually between Elsineur and Copenhagen. Abreast of this latter city lies a small island called Amager, then north of that an island

[1] Count Tausen.

[2] Captain David Johnson.

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called Saltholm, beyond which is the town of Malmö on the mainland of Sweden. Between the islands of Amager and Saltholm is a very narrow passage, through which ships bound up the Baltic are obliged to pass, with shoal water on both sides of the passage. This is called going over the grounds. At the narrowest part of this passage two guns, the second loaded with shot fired from a floating battery of three hulks of men of war, compelled us to come to anchor in the middle of the channel, until an officer came on board and examined the ship's papers. After three other visits of the same kind from other gunboats and armed ships, we succeeded in getting *over the grounds* and entered the Baltic sea. The 6th of October we successively came in sight of the Islands of Moën, Rügen and Bornholm, the last of which became a memorable island to us. For during ten days and nights we were beating to and fro in sight of it, without advancing so much as a league upon our voyage, a great part of the time with a constant succession of violent squalls of rain, hail and snow, flat calms and strong gales, a torment of a sea, and a current as adverse to us as the wind. It now got to be the middle of October. The captain, who had been eleven voyages to St. Petersburg, who dreaded the Gulf of Finland more than the Baltic, and a harbor closed against us by the ice at Cronstadt still more than the Gulf of Finland, absolutely despaired of reaching his destined port this winter. The Elsineur pilot who had been thirty-six voyages to Petersburg was yet more despairing than the captain; both were very urgent to give up the attempt of reaching St. Petersburg this season, and desirous of putting back and going to Kiel in Holstein, from which we should have had before us at this season of the year a journey by land of 1500 miles, the best part of which is that which you know by experience from Hamburg to Berlin. In the midst

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of our difficulties the captain fell sick and was confined to his bed several days. After resisting, as long as the perseverance of my spirit would carry me, the propensity of both captain and pilot to turn back, I finally gave up the contest on condition that, if before we should reach Kiel, a favorable change in the wind and weather should occur, we should avail ourselves of it and turn again towards our true destination. I cannot but reproach myself for this momentary compliance, as it indicated a flexibility which ought not to belong to me. But I had objects on board more precious to me than my own life, and there was some reason for shrinking from a risk of the ship and cargo, which was not mine and which was the special trust of the captain. These motives which were my only ones for consenting to turn back still appear to me strong, but I ought not to have yielded to them. No material evil, however, resulted from this fault of mine. The case upon which I had stipulated for a resumption of our proper course occurred within forty-eight hours after we turned back. The eastern gales subsided into a calm after we had retreated from them about thirty leagues. They were soon after succeeded by western winds which, though accompanied with gloomy skies and foul weather, brought us rapidly towards our port. The eleventh day after we had passed the island of Bornholm, we came by it the second time on the 16th of October.

This Bornholm is one of the seven islands which constitute the Kingdom of Denmark. The other six are Zealand, Fünen (or rather Fyen), Langeland, Lolland, Falster and Moën, a cluster which lie contiguous to each other at the entrance of the Baltic. Bornholm is more distant from the rest and about twenty leagues up what is called the Baltic Sea. Upon our retrograde course we paid a visit to this island, after having been about fifteen miles beyond and in

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constant sight of it for eight days. It has no harbor for vessels of the depth of water which we drew, but there are in different parts of the coast anchoring grounds which afford shelter from particular winds. Near one of its extremities are two miniature islands called Christiansö and Friederichsholm, *between* which is a narrow channel of deep water where ships in case of extremity are sometimes admitted and where they lie moored to both the shores. The width of the passage between these two islands is less than 200 feet, and the islands themselves are not a quarter of a mile in circumference. We might have gone in there, but the captain thought the risk too great. On the 13th of October then we bore down upon the island of Bornholm, and passing close under those of Christiansö and Frederichsholm, lay to for the night, between a heavy gale and a dead calm under the highest land of Bornholm. Saturday morning the 14th we hoisted a signal for a boat from the shore, for we were destitute of many articles of provisions, and not overstocked even with fresh water. It was some time before a boat came out to us, for they took us for a British armed ship showing false colors. However one boat ventured out. When they found who and what we really were, they reported us to the shore, and during the remainder of the day I had a succession of messages and officers specially sent from the governor of the island offering us every assistance and supply that it could afford with the most obliging and urgent invitations to come on shore; not only to myself but to the ladies whom he particularly invited to a ball for the evening of the next day. (La suite ci après.)[1]

[1] See p. 366, *infra*.

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TO SYLVANUS BOURNE

ST. PETERSBURG, 28 November, 1809.

DEAR SIR:

. . . . . .

When we sailed from Boston, which was on the 5th of last August, the disavowal of the British government of Mr. Erskine's stipulations with ours, was just known in the United States, but no measure had yet been taken by the President in consequence of it. The proclamation renewing the non-intercourse with the British dominions issued a few days after.[1] The great change produced in all the external commercial relations of the United States by this act will be too obvious to your understanding to require any elucidation from me. Nor will it escape your observation, how much the affairs of our country may probably be affected by two events, which have already occurred in this hemisphere, since I landed upon it, the peace between Russia and Sweden, and that between France and Austria. What immediate effect either or both of these important occurrences will have upon the policy of Great Britain or of France, in relation to commerce, your situation enables you to ascertain sooner and more accurately than I can here. The result of Mr. Jackson's [2] intended negotiation in America is, perhaps, already known to you, while we here have but within these two days learnt the certainty of his arrival at Baltimore. The change in the British Ministry, too, though a circumstance of less magnitude in itself than the others just noticed, may be attended with consequences not less important and extensive.[3]

[1] August 9. *Messages and Papers of the Presidents*, I. 473.

[2] Francis James Jackson (1770–1814).

[3] The Portland Ministry came to an end in September, 1809, and Spencer Perceval headed the new administration.

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If your information and conjectures are well founded, that the persons of principal influence in the councils of princes have a direct interest in maintaining the systems of restriction and depredations upon American commerce, which have characterized for the last two or three years the measures of both the great belligerent powers, it is much to be apprehended that this unjust and impolitic course may still be persevered in, until the public interest shall regain its natural and proper ascendancy. By the letter of Monsieur de Champagny to General Armstrong, dated in August last,[1] France has very precisely and positively promised to set aside those of her decrees which have given us just cause of complaint, if Great Britain will set aside those no less outrageous, upon which the French decrees are alleged to have been founded. But while Great Britain negotiates, and disavows, and negotiates again, upon points concerning which neither the honor nor interest of the United States will admit of any compromise, if we are to wait for the repeal of the French decrees until a *sound head* shall guide the councils of the British Cabinet, our prospects of redress, and even of the practicable exercise of our just rights upon the ocean, are remote and precarious indeed. . . .

TO THE SECRETARY OF STATE

No. 7. [Robert Smith]

St. Petersburg, 4 December, 1809.

Sir:

I have the honor to inclose a copy of a note which I have sent to Count Romanzoff, the Chancellor of the Empire

[1] August 22, 1809. *American State Papers*, Foreign Relations, III. 325.

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relating to two American vessels [1] captured, one, by a Russian frigate, and the other by a privateer under Russian colors, and condemned by certain committees of prizes for breaches of blockades, which the American proprietors allege did not exist, or were at least unknown to the masters of their vessels when taken. Finding upon my arrival here that Mr. Harris had already made to this government such representations in behalf of those proprietors as their respective cases admitted, I have thought it advisable only by a note in general terms to inform the Chancellor that I had been instructed upon the subject, and to intimate the hope and expectation that justice might be done to these claims speedily. With regard to the brig *Hector*, belonging to Mr. Thorndike, there seems to be no doubt but that the capture was illegal. The case of the vessel belonging to the Waymouth Commercial Company is not quite so clear, as it is certain that a blockade of the port did exist.

The indulgences which on the continent of Europe have been allowed to Americans by way of exception to the general system of commercial restriction have been so considerable, that British commercial speculators have resorted to the art of personating Americans and of using forged papers to obtain the participation of these privileges. A very few days after my arrival here Mr. Harris presented me a passport, purporting to bear the signature of the present mayor of New York, in favor of one Archibald John Graham, whom it styled a native citizen of the United States. It was dated the 3rd of January of the present year, and had been endorsed at the mayoralty of the city of Narennes, the 2nd of March. With this paper, Mr. Harris presented me a letter from a merchant [2] who he assured me bore a very

[1] The *Commerce*, commanded by Joseph Tirrell, and the *Hector*, Luke Thorndike.

[2] Plessig, by name.

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respectable reputation in this city, in which this gentleman gave me in the most explicit terms his guaranty that Graham was a native citizen of the United States, and requested me to authenticate the passport by my signature. At the same time, Mr. Harris gave me notice that he suspected the paper to be forged, as he had already detected one or two others of the same form and appearance. I therefore delayed my answer to the respectable merchant of St. Petersburg two or three days, in the interval of which came from Lisbon, the port where Graham was waiting for my authentication of his passport, a real American citizen, who assured Mr. Harris, that this Graham, far from being a native citizen of the United States, had probably never set his foot in America, that he was a Scotchman by birth, and had come to Lisbon with a vessel under Pappenburg colors; but which had been an American vessel, which had come from the United States by violating the embargo. I afterwards saw the same real American citizen, myself; who told me that this Graham belonged to a commercial house in Liverpool where he had a brother, and from which he was accustomed to sail as a British master of a vessel; that in all probability the passport was a sheer forgery; and that not only such passports, but all the ships papers required for a vessel of the United States were made in London by a man of the name of Van Sander, who kept a shop of public notoriety for the sale of such documents to any person who chose to pay for them.

I answered the respectable merchant of St. Petersburg, and now enclose translation of his letter and of my answer. A day or two afterwards the same gentleman wrote to Mr. Harris expressing his great mortification at the issue of his application, his strong apprehension that the passport would again be sent for my authentication by the maritime commission, and that by my refusal Graham's vessel and cargo

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would be condemned. He also requested Mr. Harris to procure from me my consent to return him his letter of guaranty. This I declined, assuring him, however, that I should make no unnecessary use of his name, which might expose him to inconvenience.

A few days after, I received from Count Romanzoff a note, enclosing the same passport, mentioning that it had incurred the suspicions of the maritime commission, and enquiring whether I could certify the authenticity of the signature. Translations of this note, and of my answer, are also enclosed. I had also a personal interview with the Chancellor,[1] in which I stated to him the substance of the information I had obtained, but in which I was still restricted in the use of names, the American citizen from whom I had received my information having been altogether unwilling that his name should be given.

It was still barely possible that Graham might be a native citizen of the United States, and the passport a genuine paper. I did not possess the means of giving judicial solemnity to the declarations of the American citizen from whom I derived my information; neither was his knowledge itself of a character to which he could make oath in judicial form. As the man's person was in danger at least of imprisonment and his property at stake, I thought it necessary to communicate with all proper caution to Count Romanzoff the circumstances which had come to my knowledge, to give them barely as suspicions concerning which the means of ascertaining the truth was in the tribunals of the country; and to guard against any precipitancy of decision, which might affect injuriously any unsimulated American citizen. The Count assured me that every just precaution should be used to answer the ends of substantial justice, and all due

[1] Adams, *Memoirs*, November 15, 1809.

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discretion in securing it. He animadverted with some severity on the British government for its countenance of such a practice as forgery by suffering such a public traffic of false papers, in the very capital of the kingdom.

With this letter I shall send you the first number of a collection of paragraphs and notices from the newspapers of this continent, which I propose to continue and to forward from time to time, by every opportunity which may occur, direct or indirect. Their object is to contribute to the mass of your information from Europe. As taken from newspapers, they may be committed to any kind of conveyance as relating to public affairs in general, and not within my particular charge, they will not need a signature, and you will probably sometimes receive a number without any other indication of the source from which it comes than the handwriting or this notice. The subjects upon which I shall make extracts will be very various and perhaps often carry with them hardly enough of interest to deserve the President's or your perusal. The purpose however will be to concentrate information, which it may be useful for you to possess, and though situated at the extremity of Europe, requiring nearly as much time for intelligence from the principal seats of action to reach us, as from them to the United States, it is possible that you may thus receive even from hence information which will not previously have reached you from elsewhere.[1]

I am, etc.

[1] Many of these "gazettes" of information are in the Department of State, Washington, good evidence of the industry of the minister.

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TO THOMAS BOYLSTON ADAMS

December 14, 1809.

The messages from the governor of the island of Bornholm, which I mentioned in my last, were sent and received in the midst of an Irish gale of wind while we were stretching to and from the shore of the island, under close reefed top-sails. Close under the high lands of the coast, boats were able to come out to the ship, but she could not lay to these without drifting beyond the length of the whole island, and whenever we got without shelter of the hills, we found a sea and a storm which the ship had as much as she could do to live and be wholesome. As night came on we could no longer stretch in under the shore. I had sent a promise to the governor that if we should remain wind bound the next day, I would go on shore to pay my respects to him, and return in person my thanks for his civilities. I saw that if I should go on shore, the ball would be unavoidable, and that would occasion our detention not only for that day, but probably for a great part of the next. I therefore now consented to the captain and pilot's earnest entreaties to stand off before the wind, and go to Kiel, unless a favorable change of the wind before our arrival there should enable us again to face our true destination. We had about two days sail to Kiel. But we pursued our retrograde course only about sixty miles; for in the course of the same night (Saturday, 14 October) the storm died away. The next day we had a calm, and the day following a favorable wind for proceeding up the Baltic. On the first appearance of the change I summoned the captain to his promise, with which he immediately though reluctantly complied. On Monday, the 16th of October, we finally passed the islands of Bornholm and Christiansö. About twenty-five leagues northeast of these on the passage up the

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Baltic lies the island of Öland, next to which about as much farther is that of Gothland, celebrated in the middle ages for its commerce and the capital of which, Wisby, is yet well known to all our lawyers by its code of maritime laws. Our pilot and captain were anxious to get a sight of these islands, especially the last, in order to get what they call a fresh departure. For in navigating the Baltic the currents are so variable both in their force and direction, that a continual recurrence to landmarks is necessary to ascertain where you are. The 17th of October we had again a head wind, and the captain's inclination to go to Kiel returned. To this however I did not consent, though he put upon me the responsibility for the ship and cargo by the consequences of persisting in the voyage. Still, more fortunately for the ship and cargo than for ourselves, I did persist, and after about thirty-six hours we had a return of fair wind again. But the weather was thick and gloomy. Four days in succession, no observation of the sun could be obtained, and no sight not only of Öland or Gothland, but even of Ösel or of Dagö, which last is the island at the entrance of the Gulf of Finland. An inspection of any map of the Baltic will show you this gauntlet of islands, between which a vessel must wind before reaching this terrible Gulf. In the long days and mild weather of summer it is not more dangerous than other seas; but in the night almost total which reigns after the autumnal equinox and the tempestuous weather of approaching winter, it is formidable indeed. Our anxieties were the greater from an uncertainty, whether any of the usual lights were kept at the most difficult and dangerous passes. For a British fleet had been stationed at the mouth of the Gulf during the whole season of navigation, and we knew that the Russian lights had in that interval been extinguished. About midnight of the 19th of October we were overtaken

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by an American ship, the *Ocean* of New York,[1] bound like ourselves to Cronstadt, and with whom from that time we sailed in company. The 20th, after having been all day straining every eye on board ship for sight of Dagö, we spoke at the dusk of evening with a small Mecklenburg vessel which was standing out, and from which we obtained information that we had passed all the islands, which had so obstinately eluded our sight, and were advanced about fifteen leagues up the Gulf. That the lights on the Russian coast were all again lighted, and that in the course of two hours we should make that of Odensholm, which she had seen since noon of the same day. At this intelligence (*magna componere parvis*), we felt as Columbus did at the sight of the light ashore on his first voyage. We found the information exact, and made the light just as it had been told us we should make it. With a fine fresh breeze and a moonlight night we ascended the Gulf, and passed five or six different lighthouses before morning. Then came a sweeping gale at northeast, which cleared the skies of every cloud and vapor, but kept us the whole day as near the wind as possible, and most of it under short sail. About eight that evening we passed the island of Hogland lighted by two fires, which are kept instead of lighthouses. This is perhaps the most dangerous spot in the Gulf. Hogland is a rock rather than an island, situated in the middle of the Gulf, with shallows on both sides, and the passage between it and a shoal on its north side is not two miles wide. We passed it in a mild beautiful moonlight evening with just breeze enough to carry us slowly through, and to give us a distinct idea of what it is. The next day, Sunday, 22 October, at noon we anchored in Cronstadt roads, but could not procure a pilot to carry the ship that night into the mole. I landed however that evening with

[1] Captain Benjamin Richards.

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all the family excepting Mr. Smith, who remained on board expecting to go in with the ship the next morning. At Cronstadt we presented ourselves to the Admiral [1] of the port, who received and treated us with great civility; but it was with the utmost difficulty that we got a lodging for the night, which we were ultimately obliged to take at the house of Mr. Sparrow, who is the agent for American vessels at Cronstadt. The same night a violent gale of wind came on, which continued the whole of the next day, and which made it impossible either for the ship to get into the mole, or to send a boat on board for Mr. Smith. But as the wind was fair for coming to St. Petersburg, and as the Admiral obligingly offered us a government cutter to bring us up, we accepted of the opportunity, and in about three hours of time accomplished the passage. We landed on the quay of the river Neva, just opposite the magnificent equestrian statue of Peter the Great, at three in the afternoon, of the 23rd of October, the eightieth day from that of our embarkation at the wharf in Charlestown. . . .

TO THE SECRETARY OF STATE

No. 8. [Robert Smith]

St. Petersburg, 3 January, 1810.

. . . . . .

With his letter from Stockholm, Mr. [J. S.] Smith transmitted to me that which you did me the honor to write me on the 31st of July last; together with one of the same date from Mr. Graham, and a special passport for myself and family. These dispatches it appears arrived at Boston the day after we had sailed. Had they reached Boston the day

[1] Kolokoltzof.

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before, I should have availed myself of the permission to take passage in the *Essex;* and although it must have delayed my departure for several days, probably we should have accomplished the voyage in less time than we did on board the *Horace.* The appearance of an American frigate upon this occasion in the Baltic and Gulf of Finland, would have produced an impression more congenial to the military sentiments of European nations, and might perhaps have contributed to increase the consideration which the character of our country is acquiring. It would undoubtedly have had a more favorable effect, than the arrival of a public minister in a merchant vessel, upon the opinions of a court addicted to official parade beyond any other in Europe.

You will have seen in my former letters, how often upon the voyage I experienced the want of the special passport, and the occasions upon which I was obliged to exhibit my commission, as a substitute for it. My right of free passage, and the privileges of the character with which I was invested were universally respected as soon as they were authentically made known, but the evidence was in more than one instance required. While any thing like the present condition of the European world shall continue, I should recommend that any future public minister, coming from the United States, should be conveyed under the protection of the government flag, and at the same time be provided with a special passport like that which you had the goodness to have made out for me.

With these papers, I received also the copy of General Armstrong's cypher, of which I shall have immediate occasion to make use.

Since I had the honor of writing you last, I have received a note from the Chancellor of the Empire, Count Romanzoff, containing two questions, relating to the navigation of vessels

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under our flag. Translations of this letter, and of my answer are enclosed.

Among the vessels, under the flag of the United States, which arrived at Cronstadt just before the closure of that port by the ice, were two with registers of the London manufacture. They have all the other papers with which American vessels navigating the European seas are usually provided, but whether these also are forgeries, or purchases, Mr. Harris has not the means of detecting as he could the register. As a forgery, this paper is clumsily executed, although the signatures, the seals, and the private marks, are imitated with all the care and assiduity that English artists could bring to their task. Some of the private marks however have escaped their vigilance. The seals betray the stamp of a die too recently engraved and the printed parts of the plate vary materially from those of the genuine register. Mr. Harris has given notice to the Chancellor of this new imposture, and the vessels with their cargoes will probably be condemned.

In the extracts from the Gazettes, No. 2, which you will find enclosed, are contained the order of the French Emperor, prohibiting the introduction of colonial merchandize into Hamburg, by land or by water; the advertisment of the French consul at Copenhagen that he will deliver no more certificates of origin for the same species of goods; and the order of the king of Denmark, establishing a commission in the principal ports of Holstein for the examination of all goods imported there suspected to be English. Together with this last order was issued one which has not been published, but under which property of American citizens to a very large amount has been sequestered, with circumstances of peculiar hardship. A number of Americans at Hamburg, masters, supercargoes and owners of these goods, forwarded

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an application to me for my interference to obtain the release and restitution of their property. I accordingly had a conference with the Chancellor, Count Romanzoff, in consequence of which, by the express orders of his Imperial Majesty, the Danish minister at this Court has been requested to urge upon his government the immediate release and restitution of the property of American citizens, sequestered by the recent order of the King of Denmark, as a measure in which the Emperor of Russia takes a particular interest, and in which a compliance with his desire will give him peculiar satisfaction. I have also in a personal interview with the Baron de Blome, the Danish minister here, pressed the same object upon him with all the earnestness, which the importance of the interest, and the justice of the demand would warrant. The dispositions of the Danish government I am persuaded are good, and if left to act as their own inclinations and convictions would dictate, they will immediately remove the sequester upon the property of Americans. But Denmark, as well as her neighbors, experiences the miseries of weakness—doing or suffering.

I am, etc.

TO THE SECRETARY OF STATE

No. 9. [ROBERT SMITH]

ST. PETERSBURG, 7 January, 1810.

SIR:

In my public Letter No. 8 I have mentioned to you in general terms, the result of an application which I made to Count Romanzoff, requesting the interposition of the good offices of this government with that of Denmark, for the speedy restoration of the property of Americans, sequestered

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by a recent order of his Danish Majesty in the ports of Holstein. It may be proper to give you a more particular account of my conferences with Count Romanzoff upon the subject, as they furnished indications not only of the Emperor's dispositions with regard to the United States, but in relation to the general affairs in Europe, and to the future prospects of a general peace.

I received the letter from the American masters of vessels, supercargoes, and owners, of the sequestered property on the 24th of December — the Emperor's birthday; which according to the usage of the country, was engrossed entirely by attendance at court, morning and evening, and each time for several hours, although the Emperor himself was then at Moscow. On the 25th I wrote a note to Count Romanzoff, requesting a personal interview with him, which he appointed at 7 o'clock in the evening of the 26th. At that time I accordingly attended at the Count's house, and on being introduced to his cabinet, found Baron Blome, the Danish minister, with him. He immediately retired, and I informed the Count that I came at the request of a number of my countrymen, whose property had been arrested in a very extraordinary manner, by an order of the Danish government in the ports of Holstein. That as to the dispositions of the king of Denmark, with regard to English merchandize or property, that was no concern of mine; but that a great amount of property, unquestionably neutral, direct from America, and after having passed through the examination, and paid the duties required by the laws of Denmark, had now been arrested by this order, taken entirely from the hands and management of its proprietors, and without intimation to them of the cause of such a violent measure, or in what it was to issue. Purchases to a large amount of the productions of this country, had been made here and at

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Riga on the credit of this property, and the regular payment of which depended upon its speedy liberation. As the subject therefore in some sort became interesting to the government of this Empire, I had requested this conference with him, to state the circumstances to him and to ask, whether the interposition of the Emperor's good offices with the Danish government might not be used, in any manner, whether officially or otherwise, so that the effect might be to levy this sequester upon American property as speedily as possible. That being aware it was a subject upon which in my character as accredited to this Court I could make no formal application, I had not thought proper to address him an official note concerning it; but relying upon the good will which the Emperor had so often manifested towards my country, and on the dispositions equally friendly of the Count himself, I had flattered myself that by the exertion of his Imperial Majesty's influence with the Danish government, the release of this property might be immediately obtained, and my countrymen, the owners of it, relieved from the embarrassment and alarm occasioned by its detention.

He said that in regard to the Emperor's dispositions towards the United States, and though by his rank, infinitely distant from his Imperial Majesty, as far as he could speak of his own, they were as friendly as I could possibly believe them. He personally lamented greatly the distress under which commerce in general, and with it that of the United States, was laboring. That nothing short of a general peace could probably put an end to these embarrassments, and that this general peace depended upon England alone. *He knew not why this general peace should be made, that nothing would be asked of England; but on the contrary she would be left in possession of what she had acquired.*[1] Until she could

[1] Italics represent cypher.

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be reduced to reasonable terms of peace, it was impossible that commerce should be free from rigorous restrictions, because it was by operating upon her commerce, that she must be made to feel her interest in making peace. As to this particular measure of Denmark, it *was far from being agreeable to him*, and he intimated that it was the subject upon which he had just been conversing with the Baron de Blome. *He knew by despatches from the Russian minister* [1] *the measure had given great dissatisfaction to the Danes themselves. There was no occasion to disguise the fact it was not a voluntary act on the part of the Danish government. It had been exacted by France, whose force at their gates was such as Denmark had no means of resisting, and who considered it as a measure merely of severity against English commerce; that France had suspected Denmark at conniving at the commerce with England; at least he knew that M. Champagny had reproached them with it in very severe terms and, in fact,* the whole, or nearly the whole, of that trade must substantially be viewed as English commerce, since there were now none but English colonies which produced the articles known by the denomination of colonial merchandize.

I assured him that with the exception perhaps of coffee, all the articles of colonial trade were produced within the United States; and with respect to coffee, as well as the rest, there were all the Spanish islands which produced them in great quantities. But, said he, is not the produce of the United States in these articles, of inferior quality? Cotton for instance? I told him the United States produced the best of cotton, and in immense quantities; that in all the southern States, as well as in Louisiana, the cultivation of this article within the last twenty years had flourished beyond imagination, and that of all the cotton brought by the Amer-

[1] M. Lizakewitz [or Dizkewitz.]

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ican vessels whose cargoes were thus sequestered in Holstein, I was persuaded that the nine-tenths at least were the genuine produce of the United States; that considerable quantities of sugar were also produced in Louisiana, and in Georgia, which doubtless constituted a great proportion of those cargoes; and the rest was probably the produce of the Spanish islands. Certainly very little, if any, came from the British colonies. As to the Spanish islands, he said, they could now not easily be distinguished from the British, as they had declared themselves for the party of the Junta, which in a very extraordinary manner had formally declared war against Denmark.

I remarked that if, in consequence of this declaration of war, the Danish government thought proper to prohibit the importation for the future of articles the produce of the Spanish colonies, it was a measure of expediency which they were free to take; but that it could never warrant the seizure of goods already imported under the sanction of the Danish laws, which, after passing through every examination required by them, had received the pledge of protection due from every civilized government to private property; that if this was a French measure, of which the government of Denmark was only the passive instrument, I trusted that the influence of a sovereign so powerful as the Emperor of Russia, and in relations of friendship so close with France, would not be exerted without effect at Paris, and it would be immaterial to us where the means should be used, if they produced the result of doing justice to us and restoring to my countrymen their property. The conduct of England towards my country had been such as certainly not to inspire me with any partiality in her favor; and I believed the principle of what was called the continental system, that of bringing England to dispositions for peace by pressure upon her commerce, a

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good one, if properly applied; but I was surprised that there could at this day exist any person who did not perceive that measures which destroyed the active commerce of all other nations, instead of reducing turned altogether to the profit of that of England; that the Emperor Napoleon's experiment had now been three years in operation, and that in the midst of the most wasteful expenses, of the grossest internal mismanagement, of the most unfortunate expeditions, in short of every thing that could baffle the hopes of the people of England, and exasperate them against their own government, no petitions, no clamors for peace were heard; and the commerce of the country, far from being diminished, was flourishing beyond all former example. As a proof of which I referred him to the address from the corporation of London to the king on the late jubilee, and to the king's answer.

The Count smiled, and said that as to addresses to kings and their answers, he believed the best rule was to take all such boasting in an inverted sense; for when a father of a family and his family are talking together about their affairs before the world, they naturally will not speak of their distresses.

I replied that in such a case as this I believed *the conclusion would be more consistent with the fact by taking the words in their plain and direct sense;* the flourishing or distressed state of commerce was a state of things too notorious by its simplicity, too certain by the practice of reducing it all to precise figures in official returns, to admit of direct falsehoods thus asserted in the face of the world. That London was a city almost entirely commercial; and the numerous classes of people subsisting upon commerce were not accustomed to boast of profit while they were actually suffering distress, or even to suffer without loud complaint. If, at this time, any other king in Europe were to receive an address from the principal traders of his kingdom, they would not boast of

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the flourishing state of their commerce; nor would the corporation of London have dared to do so, if the fact had been strikingly the reverse. It was not, however, upon this address alone that I relied as evidence of the fact. Other indications of the same kind were numerous and decisive. How indeed could it be otherwise? The active commerce of all other nations, thanks to France, and to France alone, was annihilated. France herself, Holland, Sweden, Denmark, had nothing that could bear the name of commerce left in their own ships. The United States had scarcely any. Their intercourse with almost all Europe was suspended. Here alone they were still freely admitted, and into those ports of Denmark, where this violent measure must break it up again to the foundation. The portion of commerce carried on by American vessels in the Russian ports was small. The number of vessels was ascertained; and his Excellency as Minister of Commerce knew to what it could amount. He also knew how much of the trade was transacted in Russian vessels; and yet it was not for me to tell him *that between England and this country the commerce actually carried on was little less than in time of peace.* That all articles of English growth and manufacture were to be had here as if the intercourse was unobstructed, only at heavier prices; and that every article of Russian produce for which England has occasion goes as plentifully to England as ever. He said the prices of Russian articles in England had recently risen — from which I observed a further proof of my position might be derived; for that the rise of prices in England had followed as a consequence upon the rise of prices here, which had been very considerable. The inference from this last fact was irresistible. For if the trade with England had actually been suppressed, the prices of the Russian produce at home must have fallen in proportion to the unavoidable

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accumulation of them which would have ensued. The commerce, therefore, was still carried on — and by whom? it was not to be disguised; principally by the English, who, by means which I should not undertake to account for, did contrive to evade every ordinance and regulation, which were so efficacious against all their rivals in trade; and the more surely evaded them in proportion as they were more severe. I had personally had an opportunity of observing this on my voyage hither. For in the Danish dominions the trade with England was forbidden upon pain of death; and yet on going into a port of Norway, I had seen vessels of that country, which had passed through the British squadrons as in time of profound peace; and I was informed from good authority that there were then seven ships, notoriously English, in the port of Bergen loading with timber for England upon English account.

He said that he agreed with me generally in the reasoning, but not altogether in the conclusion. That all commerce was to be considered as a benefit to both parties. That he had no faith in the ordinary doctrines about the balances of trade, or that any commerce could long exist unless it was profitable on both sides. If commerce therefore suffered, as in the present condition of Europe there could be no doubt it did, the greatest commercial nation in the end must suffer the most. That although this crisis had already continued longer than was to be wished, yet it would not be considered as a time sufficient for effecting the intended result. *It would be better that the whole commerce of the world should cease to exist for ten years* than to abandon it forever to the control of England. That the effect of the restrictive system must in the long run press hardest upon England; and Mr. Pitt, whose talents as a minister must be acknowledged to have been great, was compelled by the clamors of the English

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nation arising from the distress upon their commerce, to make way for an administration which made peace. I acknowledged this was true; but observed that it was imputable to a system of measures in relation to commerce directly opposite to the present — a system which encouraged and favored the trade of the nations which were the rivals of England, so that the English could not support a competition with them. And although the English commerce might partially suffer in the general mass with the rest, it was much more than indemnified by the part which it had acquired from the ruins of all the other commercial nations.

The Count asked me, if I had read a late publication of Mr. d'Ivernois upon this subject.[1] I had heard of the book, but not seen it. He said its representations corresponded much with the ideas I had been expressing; but in proof of his general position of the flourishing state of British commerce, he had specified only the condition of Ireland. This was not very conclusive. For the commerce of Ireland formed a very small part of that of the United Kingdom, and when so great stress was laid upon the alleged prosperity of one particular branch of trade, it raised a strong presumption that the actual state of the whole afforded no subject for exultation.

He concluded by saying that on the subject of my request, he would take the orders of the Emperor, and inform me of the result; *but as this was a measure emanating from the personal disposition of the Emperor of France, he was apprehensive there existed no influence in the world of sufficient efficacy to shake his determination;* that the United States might always rely upon the inclination of the Emperor of Russia to use

[1] François d'Ivernois (1757–1842). The reference is probably to his *Effets du blocus continental sur le commerce*, etc., *des Isles Britanniques*, published in London, 1810.

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his good offices in their favor, and most especially in cases where they might be applied with any prospect of success.

I left the Count, with the impression that however he might personally disapprove, or the government of the Emperor might dislike the step which had thus been imposed upon the king of Denmark, no interference of Russia was to be expected.

On the same evening, the Emperor returned from Moscow, and on the 29th I received a note from the Chancellor, requesting me to call upon him at two o'clock of that day, which I accordingly did. He told me, that on the preceding day, being the first since the Emperor's return upon which he had transacted business with him, he had reported to his Majesty, my application to him, requesting the interposition of his good offices with the Danish government for the restoration as speedily as possible of the property of Americans sequestered in the ports of Holstein; that he had informed his Majesty of the answer which in his official character he had thought it his duty to give me, and to lead me to expect, leaving the Emperor's decision entirely free according to his own inclinations; that the Emperor had judged differently upon the subject from him. He had ordered him immediately to represent to the Danish government his wish that the examination might be expedited, and the American property restored as soon as possible; which order he had already executed. He had sent that same morning for the Baron de Blome, and had requested him to transmit to his court these sentiments of the Emperor, with the assurance that his Majesty took great interest in obtaining a compliance with them; that the Emperor not only took this determination without hesitating, but was gratified in availing himself of the opportunity to manifest his friendship for the United States. Perhaps the interest of his own subjects

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might justify his interference on this occasion: this was what he had not thought it necessary to examine. It was sufficient for him that it would show the regard which he felt for the interests of the United States, and his wish to inspire their confidence in these sentiments on his part. He desired me to mention to Baron de Blome, when I should have an opportunity to see him, that he had told me of the Emperor's determination, and of the Count's interview with him respecting it. And he further observed that the Baron had told him, what he had said to me before, that *it was a measure into which Denmark had been impelled by France, and which she had taken with reluctance.*

I assured the Count, that I should inform my government of this fresh instance of the Emperor's friendship, and that I could answer by anticipation for the grateful acknowledgment with which it would be received. That on leaving him before, I had felt obliged to him for the frank and candid manner in which he had spoken with regard to the object of my application; it was in my mind far preferable to a more flattering manner, which might have led to hopes, afterwards disappointed. But from his manner of considering the subject at that time having entertained little or no hopes of success, I was now the more gratified at finding that my countrymen would have the benefit of his Majesty's powerful intercession.

Having on the same day an opportunity of conversing with the Baron de Blome, I told him, according to Count Romanzoff's desire, that I had been informed of the communication to him, of the Emperor's wish for the restoration of the sequestered American property, in the ports of Holstein. The Baron then repeated *that it was a measure to which they had been goaded by France;* that it was still more injurious to themselves than to us; that this little trade by the means of

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American vessels, which had given his government an opportunity of laying a transit duty, was the only source of revenue left them; but that in Hamburg they had been jealous of it, and had written to Paris that the Danes were carrying on a contraband trade with the English. Upon this, France had loaded them with bitter reproaches, altogether unmerited. For Denmark had excluded more rigorously the English trade than any body. Excepting the outskirts of the kingdom in Norway, over which it was impossible for the government to have an effectual control, the exclusion of English trade had been complete. Denmark had sacrificed herself for the common cause, and instead of acknowledgment this was the return she had received. She had been forced into the war by the treacherous and unprovoked outrages of England, and now she was obliged to follow the impulse, dictated by France.

I took this occasion to urge upon the Baron the same sentiments in relation to the continental system, and the manner in which it is pursued, which I had before suggested to Count Romanzoff, — to insist upon the absurdity as well as the inefficacy of distressing and ruining the rivals of Britain in trade, for the purpose of affecting her commerce. I observed how ill calculated the oppression of American citizens, and the sequestration of American property was to remove jealousies or suspicions of connivance in a contraband trade with the English, and how easily the immense proportion of the property belonging to Americans might be ascertained, and liberated from all pretence of suspicion as English. That as the resentments and the rigor of France were avowedly meant only to operate against English trade, the Danish government could release all property unquestionably American without danger of offending France, and that the profits which they derived from this commerce themselves, ought

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at least to secure to it all the favor, which the government could safely bestow upon it.

If the real object of France in driving the king of Denmark into this measure, as pernicious to his own interests, as it is contrary to the rights of private property, was merely to strike at the contraband commerce with England, the interference of the Emperor of Russia will, I have no doubt, be productive of immediate and the most salutary effects. But if, under the cover of a menacing and terrific proscription of English trade, is concealed either a trafficking speculation of powerful individuals, or a design to lay hands upon all the American property to which the grasp of France can extend, the Emperor of Russia will have manifested his amicable disposition towards the United States, but its efficacy will be paralyzed before it can reach the ears of the Danish court.

There is an obscure rumor in circulation, that by a mutual agreement between France and all the northern powers, all commerce in the articles commonly denominated colonial merchandize will be during the ensuing season interdicted throughout the continent of Europe. Such is indeed in all probability the law imposed upon Denmark, upon Sweden, upon Holland, and upon all the southern part of Europe, as far as the power of France extends. That instigations of a similar nature have been applied here is not improbable, but as the independence of Russia still remains entire, and as the interests of the Empire would so deeply suffer by the attempt to execute such a project, I hope it will be withstood with determination and success.

This letter, with my two last, goes to Paris, by a gentleman, who is to accompany Count Pahlen, to the United States. He carries I understand the final instructions to that minister, who is to proceed upon his mission as soon as he can procure a passage from France to America. I enclose

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it open, under cover to General Armstrong, for his previous perusal.

The peace between Sweden and Denmark, was signed at Jönköping on the 10th of December. I am, etc.

TO THE SECRETARY OF STATE

No. 10. [ROBERT SMITH]

ST. PETERSBURG, 17 January, 1810.

SIR:

The last letter, which I had the honor of writing you, was of the 7th inst. and was forwarded open, under cover to General Armstrong, by a courier of Count Romanzoff's, who carried the final instructions for Count Pahlen. I ought to mention it, as one of the numerous marks of attention, which I have received from this minister, that he has kindly offered to forward any dispatches, that I may have occasion to send by his couriers, with the assurance that he will give me seasonable notice of any that he may send to Paris.

In my conferences with Count Romanzoff, and with the Baron de Blome the Danish minister at this court, on the subject of the American cargoes sequestered in the ports of Holstein by an order of the king of Denmark, you will have observed that it was considered as a measure adopted in consequence of the remonstrances of France; but that its object was merely to suppress the commerce carrying on between those ports and the English. It seemed however from their representations, that the complaint of France had been in general terms, but that the particular measure, so far as it involved American property, was the act of the Danish government itself, adopted merely for the purpose of examination, to ascertain what was real, from that which was only simulated American property. It occurred to me that if

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such was the only purpose of the measure, some observations might be suggested to the French government, which might tend, if not to accelerate the removal of the sequester, at least to guard against the interference of France to prevent it. I therefore asked an interview with the Duke de Vicence,[1] the French ambassador, for which he appointed yesterday morning. I then called upon him, stated to him the particular circumstances of the case, and endeavored to turn his attention, not only to the injustice of this operation, as it related to the American citizens, whose property was thus taken out of their hands, but to the general impolicy of measures which broke up all distinctions between the English and Americans, or which, still more at war with their professed purposes, under color of striking at the English, had their effect of rigor only upon the Americans.

The Ambassador, who very readily admitted the propriety of making this distinction as a general principle, in the first instance expressed doubts, whether it was a subject in which he could officially take any concern. He observed that it was a measure, either concerted with that of his own government to prohibit the introduction of British merchandize within the line of the French custom houses, or adopted by the king of Denmark as of internal regulation within his own dominions. That in the former of these suppositions, he could not with propriety interfere, to prevent the full effect of measures sanctioned by his own government, and in the latter, as Denmark was a sovereign and independent state it would be equally improper for him to interpose in opposition to any ordinances which its government had deemed expedient.

To this I replied that in official and diplomatic form I was well aware I could ask nothing of him in this case. I neither

[1] Armand-Augustin-Louis de Caulaincourt, duc de Vicence (1772–1827).

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had nor could have any instructions from my own government on this occasion; and knowing that he was accredited only to the Russian court, and not to that of Denmark, I know also that whatever interest he might take in the object for which I had desired to converse with him, would arise from his personal disposition to oblige, and not from any duty attached to his public character. I supposed that the same persons, my countrymen, who in the embarrassment and distress brought upon them by this sudden and violent proceeding had applied to me for such assistance as my situation might enable me to obtain for them, had also had recourse to that of the minister of the United States in France, in which case he had doubtless addressed directly to the French government such representations as the occasion had rendered proper. But the point in which I supposed it possible that an intimation from him, the Ambassador, to his government might be of use, was this: the Danish government alleged that this step had been taken at the desire of France; but that its sole object was to suppress an illicit trade between its subjects and the English. His majesty the Emperor of Russia, on a statement of the circumstances to him, had been pleased to order a representation of his wish to the court of Denmark, that the sequester should be removed as speedily as possible from the property really American involved in the sweeping regulation of the Danish ordinance. If the wishes of France were only pointed against the English, a simple intimation from France to Denmark, of her acquiescence in the immediate liberation of the property really American which had been sequestered, would be sufficient, and it was the justice and expediency of this intimation of which I wished him to be convinced, and to suggest to his government.

These observations led us into a general and desultory

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conversation upon the subject of the continental system, of warfare upon English commerce, a subject with the particulars of which the Ambassador appeared not to be thoroughly acquainted. From the tenor of his conversation I should infer that most if not all the negotiations between France and Russia, relative to these objects, are carried on through the channel of the Russian embassy at Paris. On this occasion, as well as on those of my conversations with Count Romanzoff, with the Baron de Blome, and with Count Soltykoff the adjunct minister of foreign affairs, I expressed freely my own opinions on the effect of the measures hitherto adopted in pursuance of the continental system, referring at the same time to the striking and notorious facts from which this effect is discernible. The Ambassador as well as those other ministers appeared personally convinced of the correctness of my remarks, but without expectation that their opinions would prevail to influence the system of policy which will yet be pursued.

The Ambassador at the close of this conversation assured me that he would make a report of it to his government, stating the particular object for which I had applied to him, and with his own personal wish that it may be obtained.

At the commencement of the new year, according to the calendar still in use here, which was on Saturday last, some important changes in the subordinate organization of this government, were introduced. The Imperial Council received a new modification, the object of which is a greater stability and uniformity in the administration of the Empire. I shall send you a translation of the constitution, which appeared yesterday in the Russian and German languages, but which the time will not allow to be completed, by the present opportunity.

I have the honor, etc.

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TO THE SECRETARY OF STATE

No. 11. [Robert Smith]

St. Petersburg, 31 January, 1810.

Sir:

. . . . . .

On the 21st inst. I received a letter from Mr. Jonathan Russell at Tönning, enclosing a dispatch from you, which contained your favor of 23rd October, and a copy of your letter of 9 October to Mr. Jackson.[1] Mr. Russell had sailed from Boston the 8th of November, and arrived in the Roads below Tönning, the 22nd of December. His vessel [2] and cargo immediately came under the new sequestration order issued by the king of Denmark, and he wrote me requesting all such assistance as might be in my power to give him, to obtain their release.

My late letters have given you an exact account of my interviews with the Chancellor Count Romanzoff, with the Danish minister Baron de Blome, and with the French Ambassador, on the subject of this new vexation of American commerce. Since then I have seen in the German newspapers of Hamburg, a circular letter of General Armstrong's with a letter to him from Mr. Dreyer, the Danish minister at Paris, which seems to promise that the sequester upon this property shall be removed, as soon as the purpose of examination to ascertain that which is bona fide American can be accomplished. I entertain the hope that this promise has been duly performed; but as importunity sometimes contributes to advance the claims of justice, I took the opportunity of this new case of Mr. Russell's, to write a letter to the Baron

[1] In *American State Papers*, Foreign Relations, III. 308.

[2] *President Adams.*

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de Blome, stating the particular circumstances of it, and renewing the application in favor of all the other Americans, whose property has been placed in the same predicament. This letter together with another concerning the loss of an American vessel, in the passage of the Belt, by the firing of a Danish battery upon her just as she struck upon a reef, I requested the Baron to communicate to his court; which he assures me he has accordingly done.

Mr. Forbes, our consul at Hamburg, is gone to Copenhagen upon the same subject. I have a letter from him written at Odense in the island of Fünen, 3 January, in which he mentions that he had been under the necessity of demanding the seizure of three American vessels, which had laden their cargoes in England.

Mr. George Joy was already at Copenhagen, as the agent for the owners of some vessels and cargoes detained in Norway. He had also, as I understand from letters which he has written me, what he considers as an official authority of a public nature from Mr. Pinkney the minister of the United States at London. He has also requested an authorization of a similar nature from me; but having no authority from the government of the United States upon this subject myself, I can delegate none to any other person; and if the confidence of the President in Mr. Joy's character and qualifications induces him to give a regular authority to his representations, they will be more efficaciously as well as more properly supported by credentials from the United States, than by the assumption of a power by me, which has not been entrusted to me.[1]

The *Boston Packet*, a vessel which sailed the 6th of December from Boston, arrived at Tönning the 3rd or 4th of January. She brought newspapers containing the circular letter

[1] See *Writings of Madison* (Hunt), VIII. 85*n*.

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of Mr. Jackson to the British consuls of 13 November [1] and also the President's message to Congress at the opening of the session. The personal character of Mr. Jackson is well known to many persons here, and the tone of his negotiations, not only in Denmark, but at Berlin, has been marked by such peculiar features, that the opinion entertained by the persons of the best information in the recent diplomatic transactions in Europe is, that the person was selected for the service, and that his conduct will be countenanced and supported by his own government. This opinion is strengthened, by the prospects of Mr. Canning's return into the British ministry, the report of which has become prevalent.[2] The expectation of an immediate war between the United States and England has given great alarm not only to the Americans who are here, but to all the commercial part of this city. This however is not their only apprehension. On the one hand it is generally believed that the Emperor of France, adhering to a system the inefficacy of which has long been demonstrated even to his most confidential advisers, will persist in renewing the experiment of totally annihilating the commerce between the British Islands and the continent of Europe; and that during the ensuing season, no importations will be allowed into any ports of the continent which by possibility might come from England. On the other it is feared that the British government will at the opening of the spring declare all the ports of the Baltic in a state of blockade. Reports of a general embargo to be laid here are also in circulation. Much of all this is undoubtedly commercial speculation. There is every appearance that during the present year the shackles and the oppressions upon commerce will be still greater than they have been during the

[1] *American State Papers*, Foreign Relations, III. 323.

[2] Canning did not return to office until 1817.

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two last, and there is too much probability that almost all the advantage of this state of things, and far the smallest portion of sufferings resulting from it, will befall Great Britain.

Proposals for negotiation have undoubtedly been made from France to the British government; and it has been intimated to me that even a basis was offered, which it was supposed would be acceptable — including the restoration of Portugal, and of Spain as far as the river Ebro, to their former sovereigns; provided the supremacy of France over Italy, the part of Spain within the Ebro, and the extension of the northern frontier of France to the Maas, should be recognized by England. It is added however that these proposals have been rejected.

With this letter I have the honor to enclose a translation of the imperial manifesto, and new constitution of the Council of the Russian Empire, issued at the commencement of the present year. It is variously considered by different persons, as a new system of government, containing many features of freedom and calculated to temper the absoluteness of the sovereign authority; as an imitation of the present organization of the French government, recommended by the energy which experience has shown it to possess there; or as merely a mode of removing certain ministers, with whom the Emperor is not altogether satisfied, but whom he does not choose to disgrace, and of concentrating power and influence in the present Chancellor of the Empire, Count Romanzoff. Upon him the appointment of President General of the Council, in the absence of the Emperor, has been conferred for the present year. And the office next in dignity, that of Secretary of the Empire, is at the same time bestowed upon Mr. Speransky,[1] a person whose reputation for

[1] Michel, count Speranski (1772–1839).

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talents stands very high, and who has risen under the favor of Count Romanzoff's particular friendship and influence. He is the reputed author of several public manifestoes and other state papers, the composition of which has excited notice in the United States, as well as throughout Europe.

I have the honor, etc.

TO ABIGAIL ADAMS

St. Petersburg, 8 February, 1810.

My dear Mother:

The Sunday before we embarked for this place, my excellent friend and Pastor Emerson delivered in his pulpit a discourse upon the pleasing and not improbable doctrine of a guardian angel, which Christians have often supposed to be assigned to every individual to watch over him, and as far as is consistent with the general designs of providence, to guide his conduct, and to preserve him from extraordinary dangers. My wife and her sister, who were present and heard this discourse, were much affected by it, and naturally made an application of several passages in it to ourselves in the great voyage then just before us. I was prevented from attendance on Mr. Emerson's public ministration that day by having gone out for the last time before our departure to spend the day with you at Quincy. But I hope at some future day to have the pleasure and benefit of reading it, and in the meantime I dwell with pleasure upon its principal idea. The general superintendence of the Creator and Governor of the Universe is indeed sufficient for the preservation and well being of all his creatures, but in the greatness and multitude of evils and of perils which surround a wanderer upon the face of the terraqueous globe, the heart, if not the judgment,

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feels the want of some special protection, of some intermediate agent possessed of powers and attributes, superior indeed to those of human nature, but yet limited in their extent and capable of confinement to exclusive objects.

From the day when we embarked from Mr. Gray's wharf in Charlestown, until that when we landed opposite that of Peter the Great at St. Petersburg, we were exposed to many great and imminent dangers. I have given a minute account of them all in several letters to my brother, which I trust will all have been perused by you before this will come to your hands. When in the midst of them, and knowing that human power was inadequate to extricate us from them, there was more hope and consolation in the belief of being under the peculiar charge of a superior, though a finite, spirit, than in the philosophical conviction, that all partial evil is universal good, and that whatever might befall *us*, the system of the universe would enjoy an equal portion of felicity.

A beneficent providence, whether operating by general laws or by the subordinate energy and care of a guardian angel, did conduct us safely through all these perils, and brought us to the end of our *outward* voyage, after a navigation of nearly three months duration. We reached St. Petersburg the 23rd of October, the day before which I had written you a few lines from Cronstadt, which I hope you have before this received.

The American vessels which sailed three or four days afterwards, and by one of which that short letter was forwarded, was the last which could get away before the port was blocked up with ice. This occurred about three weeks after our arrival, and several letters which we had already sent to Cronstadt, to go by vessels ready to sail, were sent back to us, the vessels having found it impracticable to get out.

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Since that time I have sent to Holland, France and England, dispatches and letters for America, without knowing how or when they would find a conveyance. It is not improbable that this, which is the first I have written you from this place, and which I yet know not how I shall send, will find its way to Quincy as soon as any of the rest. I should have written you repeatedly, but the tumultuous agitation of the life which we have led since our arrival here, which has not yet entirely subsided, has scarcely left me time for the most indispensable of my duties.

You are acquainted with the difficulty and the expense of of forming a suitable domestic establishment for an American minister in other parts of Europe. They are everywhere great. Here they are greater than anywhere else. We are still indifferently lodged at a public house, and very expensively. A furnished house or apartments are not to be had. The bare walls of a single floor or house, which would but just contain my family, must be paid at a rent of fifteen hundred or two thousand dollars, that is six or seven thousand rubles a year, and they cannot be so much as decently furnished at less than five times the highest of these sums. The attendance at court is frequent, and of the most indispensable obligation. It is most frequently twice in a day, the morning at a levee, and the same evening at a ball and supper. Not a particle of the clothing I brought with me have I been able to present myself in, and the cost of a lady's dress is far more expensive, and must be more diversified than that of a man. The number of servants which *must* be kept is at least treble that which is necessary elsewhere, and the climate of the country requires for every individual expenses of clothing unknown in more southern regions. These are burthens from which no resolution can escape. But there are many others more ruinous, and avoidable

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only by the sacrifice of all consideration among the people of the country. The tone of society among us is almost universally marked by an excess of expenses over income. The public officers all live far beyond their salaries, many of them are notorious for never paying their debts, and still more for preserving the balance by means which in our country would be deemed dishonorable, but which are here much less disreputable than economy.

I will not dwell upon this subject. You will readily conceive the embarrassment in which I find myself, and of the desire which I feel to get out of a situation irksome beyond expression. I have engaged part of a house, and am now on the point of furnishing it. I shall be obliged to involve myself in debt and to draw upon my little property in America, even to do this. But then I should show you the bright side of the situation too. We have dinners, and balls, and suppers, and ice-hill parties, and masquerades, almost without end. We are going, for instance, this evening to a masquerade ball at the French Ambassador's, to begin at ten o'clock. How much I am delighted with all this is unnecessary for me to say, nor how congenial it is to my temper to find extravagance and dissipation become a public *duty*. I hope, however, and I have great pleasure in expressing the hope to you, that not only myself but all the younger part of my family will preserve steadiness of brain in this sudden and violent whirl, to come out of it still in possession of our purses and our reason. But we all to begin with myself need the care of the guardian angel, more than we did in the Baltic or the Gulf of Finland. . . .

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TO THOMAS BOYLSTON ADAMS

ST. PETERSBURG, 14 February, 1810.

. . . . . .

Upon the politics of Europe, or upon those of America, I scarcely know what to write you, nor would it perhaps be discreet to write what would be most interesting for you to read. Situated here at the northern extremity of Europe, we are almost as distant from the places, where the events most remarkable for the world are occurring, and imprisoned almost constantly from the time of our arrival and still for six months, to be so in thrilling regions of thick ribbed ice, we are almost as long in receiving intelligence from the scene of important action as yourselves. We only knew very lately, as before this I suppose you know in America, that there is a negotiation on foot between France and England, but with little expectation on either part that it will terminate in a peace. Unhappily for mankind the present state of the world exhibits the singular phenomenon of two great powers, oppressing the whole species under the color of a war against each other. France and England can do very little harm comparatively speaking to each other. But the armed legions of France lay the continent of Europe under the most enormous contributions to support and enrich them, while the naval force of England extorts the same tribute from the commerce of the world. The mass of the people both in France and England suffers in common with those of other countries, but the fashion of paying any regard to the interests of the people is almost abandoned even in pretence. When we were last in Europe a sort of republican or democratic spirit was prevalent, not only in the official pretensions and varying constitutions of France, but in the

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political and literary character of the times. It is scarcely conceivable what a change in this respect has taken place. There is not a republic left in Europe. The very name of the people is everywhere buried in oblivion. In England the great concerns upon which all the passions of the country concentrate themselves, are intrigues and cabals of princes and ministers to supplant one another, and the prices of seats at the playhouse. In France and the rest of Europe king-making and king-breaking, orders of chivalry and dissolutions of marriage, blanchisseusses, princesses and Jacobin grubs bursting into butterfly princes, dukes and counts, conscriptions and contributions, famine grinding the people into soldiers, soldiers sprouting into sultans, fifty or sixty upstarts wallowing in more than Asiatic luxury, and an iron harrow tearing up the bowels of the nations. This is the present history of the times.

The country where we now are has perhaps undergone the least change of any in Europe since I last saw it, and that change has been for the better. The Emperor Alexander, whom the English fame-blowers once extolled to the skies, and whom they now vainly attempt to degrade, is a character highly distinguished among the sovereigns of the world. Young, handsome and elegant in his person, affable and condescending in his manners, he possesses qualities yet more important and more commendable in a powerful and absolute prince. This spirit of benevolence and humanity is so strong and so universally recognized, that they who wish to censure him can only complain that this disposition implies a defect of energy. How far this may be founded I have not the means of judging, but I know that his character is not destitute of firmness and perseverance. This system of policy since the peace with France [1] has been very steadily pur-

[1] Signed at Tilsit, July 7, 1806.

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sued, though undoubtedly contrary to the passions and prejudices of almost all the persons by whom he is surrounded. It has, indeed, been hitherto remarkably successful, and the English party now has consequently lost much of its strength. Still, however, it would predominate but for his steadiness and decision. This regard for our country, which he has manifested upon many occasions, and in one very recent instance as I have mentioned to you, is a proof not less of wisdom than of goodness. It indicates a mind capable of appreciating distant objects and remote consequences, one of the rarest and most valuable consequences that a statesman can possess. It has extended the bounds of his Empire, though, as he himself said to me, it is already too large; but his new acquisitions have certainly contributed to its security, as well as its extent. . . .

TO GEORGE JOY

St. Petersburg, 19 February, 1810.

Sir:

Since I last wrote you by Mr. Berry, the second mate of the bark *William Gray*, I have received your favor of 9 January, inclosing the letter from our friend Mr. Williams,[1] of which you had previously transmitted to me a copy, and containing the questions respecting the prospects of trade to and from this country, which in your preceding letter you had intimated to me the intention of forwarding to me.

These questions I regret that it is not in my power to answer so confidently, as to furnish a solid foundation for your communications to your correspondents in America. It is rather from America or from England that the destinies

[1] Samuel Williams, a nephew of Timothy Pickering.

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of commerce during the present year are to be learnt, than from Russia. We are still ignorant here what the course of the British government towards the United States will be since the termination of Mr. Jackson's mission. We are still more ignorant what will be the course pursued by the United States. The newspapers inform us that the frigate *John Adams*, after landing her money at Amsterdam, is to proceed to Copenhagen, so that I presume you will receive by her direct intelligence from our government upon which you can place more reliance than upon any I can give you.

As to this country you are doubtless acquainted with the fact, that notwithstanding the rigorous prohibition of commercial intercourse with England, the quantity of Russian produce *exported* to the British islands in the course of the last year was greater than ever was known in any one year before. But while the trade of export has been only forbidden, that of import has been in a great measure prevented, and the balance has been very large against England. It is not improbable that you have penetrated the real policy of France in favoring this state of things, which perhaps may be still more encouraged the present year than it has been the last. But how far this system *as it operates* will suit the British government appears not yet very clear. The ministerial pamphleteers and Sir Francis D'Ivernois insist upon it, that England prospers under it to such a degree that her only danger is of perishing of plethora. It may be so, and perhaps they think it more agreeable to perish by plethora than by famine. But if his adversaries are willing to drown themselves in a butt of Malmsey, I suppose Napoleon will not very seriously dispute with them the choice of their mode of submission. But Mr. Jackson has told our government, that there was no longer any motive in the British government for adhering to their former Orders of Council of November,

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1807, and perhaps they have found by this time as little reason to be satisfied with the effect of the Order of 1809. This freedom of importation and obstruction of export may answer very well at the custom house, but neither the nation nor the government can be easy under it long. The merchants here are apprehensive that the impediments to their commerce will come from English regulation; that *licenses* will be refused, that the Baltic will be blockaded, or that there will be war between England and the United States. You are so much nearer the sources of information upon these subjects than I am, that I must expect it from instead of giving it to you. I am, etc.

TO WILLIAM EUSTIS

St. Petersburg, 28 February, 1810.

My dear Sir:

A few days since I was gratified with the receipt of your very obliging favor of 1 October from Boston, inclosing the letter to you from General [Wade] Hampton, with a number of questions respecting the cultivation and management of hemp in this country, to which I shall pay the most particular attention.[1] I shall find no difficulty in procuring satisfactory

[1] So also Henry Dearborn, of Massachusetts, asked some questions about Siberian wheat. "Since my arrival in this country, I have made frequent inquiries, and of various persons likely to be the best informed upon the subject, respecting the Siberian wheat. I have learnt with some surprise, not only that no peculiar species of that grain is cultivated in the province, but that it scarcely produces any wheat at all; and that the greatest part of the article consumed by its inhabitants is imported from other parts of the Empire, and from Poland. It is added that the practice of kiln drying is universal, applied to all the wheat raised in every part of this country, and that none other could be obtained, unless by having it raised for the special purpose. The Province of Siberia is, indeed, so remote from this capital, that I meet with scarcely anybody who knows much about it. The virtuosi who collect cabinets of curiosities, speak of it as a land of rocks and minerals. The

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answers to all these questions, but I am afraid it will be impossible to procure the two men as the general desires. A general law of the country prohibits the expatriation of all Russian subjects, and the condition of the people practically acquainted with the cultivation of hemp, like that of almost all the people of this country, is to be appendages to the soil. This principle is so rooted in their constitution, that a conveyance of land implies the conveyance of its occupiers, and that the occupiers cannot legally be sold without the land. Hence too the estimation and description of lands is drawn not from admeasurement, but from the number of the peasants annexed, and I see almost every day in the gazette lands advertised for sale of so many *persons* instead of so many acres. . . .

Your letter was forwarded to me from Gothenburg. Since receiving it we have had by various other occasions intelligence from America down to the commencement of the present year. The appearance of our affairs both with England and France wear a very serious aspect again. The king of Great Britain, however, in his speech at the opening of the present session of Parliament says,[1] he is still willing to negotiate with us; the change of the British Minister of foreign affairs may possibly have produced some change of temper in the cabinet towards America; but if Canning has been restored, as it is here reported, there is no prospect of any adjustment of our differences with that country.

The conduct of France towards us continues to be equally offensive and injurious, though under forms less insulting than those of the English. The Emperor Napoleon is said to

politicians are acquainted with it as a land of exile; but excepting that it contains malachite and malefactors there is very little more generally known about it here than in Boston." *To Henry Dearborn*, April 25, 1810.

[1] January 23, 1810, printed in *Annual Register*, 1810, 430.

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pursue this policy against the opinions of all his ministers. There is perhaps something of personal feeling in this. He doubtless knows that his own character is not much esteemed in America, and he has no affection for republics. He told some deputation that was sent to him the other day, that *monarchy* was as necessary to France as the sun to the system of the universe.

He has been making propositions for peace to the British government, and is said to have offered to restore Portugal and Spain as far north as the river Ebro to their proper sovereigns, and for the rest to treat upon the basis of the *uti possidetis*. He probably knows that these terms will be rejected by England, but he intends it as a preliminary to his project of extending the bounds of France to the Maas on the north, and to the Ebro on the south. With this he intends also to unite his kingdom of Italy, and then to assume a new imperial dignity. This is not all. He has conceived the idea that heroes like himself are a species susceptible of being propagated, and that he only wants a suitable wife to produce a Napoleon the second, whom he can train up in his own principles for the benefit of mankind. He has therefore obtained the dissolution of his marriage with the Empress Josephine, and the politicians of Europe are lost in the depth of conjecture, who is the princess that is to bear the future ruler of the western empire.

You will perceive by the dispatches which I have transmitted to the Secretary of State since my arrival here, that the disposition of the Emperor of Russia towards the United States affords a happy contrast with those of France and England. Of this disposition you will find that something more than mere profession has been shown, and perhaps it would be prudent to avail ourselves of the present moment to secure by a commercial treaty advantages which it may

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not always be in our power to obtain. The relations between this country and ours have been regarded with an eye of rivalry and of jealousy by the British, and their influence here in ordinary times will always be, as it has heretofore been, exerted against us.

There is certainly not in the Russian empire a person possessing sentiments so strongly favorable to the United States as the Chancellor Count Romanzoff, as there is with equal certainty none so highly in the personal confidence of the Emperor. This reputation for integrity is beyond all reproach; but as his system of policy is anti-Britannic, he is most notoriously hated by all the British party in this country. This party among the high nobility is numerous and powerful, though its influence is perfectly lifeless so long as the will of the sovereign is opposed to it. If any circumstances should occur to remove Count Romanzoff from the principal direction of affairs, we should lose in him a very valuable friend. The personal good will of the Emperor, too, from the frequent occasions upon which he has manifested it, and the manner in which the sense of it has been received and acknowledged by the American government, has acquired in his mind the force of a sentiment, and the increasing intercourse between the countries will, I hope, contribute to give it additional strength. I could wish that a moment so favorable might be improved to the permanent advantage of our country. If we suffer it to pass away, a century may not give us such another.

22 March, 1810.

It is no longer uncertain who is to be the Empress of France. To the utter amazement of all Europe the lot has fallen upon an Austrian archduchess, the eldest daughter of the Emperor Francis. The consequences of this new alliance are expected to be as important to the future destinies of the

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European continent, as they will be fatal to the influence of Great Britain.

The English government have rejected the propositions for a negotiation of peace, and French troops are taking possession of Holland. What the object of the war now is to England is not easy to discover. Spain is gone. Portugal she still talks of defending but will soon evacuate; the exclusion of their commerce from the continent of Europe will be attempted with renewed vigor, and the war upon all commerce according to all appearances will be more unrelenting than it has been at any period hitherto.

The letters from M. de Champagny to the Dutch Minister of Foreign Affairs and to General Armstrong [1] sufficiently indicate the inflexibility with which the continental system will be pursued by France. They seem to put the only question of the war upon the Orders of Council of November, 1807, and upon the point of *Proclamation* blockades, for the legality of real blockades is expressly recognized. I have, indeed, understood from good authority that in the plan of pacification concerted between France and Russia, no abandonment of any principle maintained of ancient time by England would be required of her. She would even probably be left in possession of Malta, the peppercorn for which she thought proper to go to war. But if she still intends to fight down the aggrandizement of France as M. Champagny says, the war will be long. I am, etc.

[1] "The French newspapers have given to the world the late letter of the Minister of Foreign Affairs to you. It would seem that if this publicity of negotiation is intended for the purpose of operating upon public opinion, it would be marked with something like reciprocity, and that both sides of the correspondence should be exhibited. It might, however, be of little use to us to have the best of the argument in print, unless with words as mild and with propositions as plausible as those addressed to you, we could at the same time sell as many vessels and cargoes *au bénéfice du Fisc.*" *To John Armstrong*, March 24, 1810. Ms. Champagny's letter

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TO THE SECRETARY OF STATE

No. 12. [ROBERT SMITH]

ST. PETERSBURG, 24 March, 1810.

SIR:

I have received the letter which you did me the honor to write me on the 4th of December last, together with the copies of your dispatches to Mr. Pinkney of 11 November, and to General Armstrong of 1 December,[1] and three copies of the President's message, and the documents relative to the negotiations with France and England published by order of the House of Representatives.

These papers were forwarded to me by General Armstrong and were brought from Paris by a courier dispatched by the Russian Ambassador, Prince Kurakin, to Count Romanzoff. I sent the Count a copy of the message and documents, and a few days afterwards had an interview with him, in which he told me that the Baron de Blome, the Danish minister had communicated to him the answer of his court, to the application made by order of the Emperor, for the release of the American vessels and property which had been sequestered in the ports of Holstein. This answer was, that the Danish government would pay the most particular attention to the interest which the Emperor had taken upon this occasion; that they would give all possible dispatch to the proceedings; and that their own wishes were entirely conformable to the desire of the Emperor *manifested* upon *this subject.* The Count expressed his satisfaction that the opportunity which the Emperor had thus taken to show his

to Armstrong, February 14, 1810, is in *American State Papers*, Foreign Relations, III. 380.

[1] The letter to Armstrong is in *American State Papers*, Foreign Relations, III. 326.

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friendship for the United States had been attended with this success. He regretted that the commerce of the United States elsewhere appeared still to be subject to seizures and ill-treatment, and that altogether it seemed impossible there should be any safe commerce until the peace. That the profligacy with which the English, under at least the obvious connivance of their government were attempting to carry on their trade with fraud and forgery was such as he could not reflect upon without astonishment. The English were a nation illustrious by the men of genius and learning, distinguished in the arts and sciences whom they had produced, illustrious by the degree of power and importance in the affairs of the world, which they had attained. Their commerce also had been very extensive, and although it was known that in their commercial intercourse with others their activity and enterprize gave them advantages, of which they were always eager to make the most they could; that they would make those with whom they would treat commit as many faults as they could lead them into, and turn them with all their ingenuity and address to their own benefit. In short that they had an extraordinary talent at making profitable bargains, yet there was a sort of integrity to the reputation of which they had always aspired, and which they had acquired. A British merchant had been considered as a man of principle, who would disdain for the mere profits of trade to participate in a base or infamous transaction. But now, said the Count, I will give you a sample of what are the principles of British merchants. There arrived in our ports last autumn thirteen ships and cargoes, which entered as coming from the port of Lisbon, under neutral colors. Among the documents which they exhibited was a certificate of origin apparently under the hand and seal of the Russian consul at Lisbon. This gentleman has long been personally

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well known to me, and I have a high esteem for his character and good conduct; in which point of view I have often mentioned him to the Emperor himself. I had no reason on seeing these certificates of origin to doubt from the appearance of the hand or seal, of their authenticity; but as the vessels have been detained here over winter by the ice, and as I had time in that interval to get an answer from him, I took good measures to get a letter transmitted to him, with a list of these vessels, and of the documents apparently executed by him and an enquiry whether these were all authentic. I have lately received his answer, and not one of the documents is genuine. The whole thirteen are forgeries. Now I ask, what difference in principle there is between this case, and the same transaction upon the seal of a deed or the signature of a bill of exchange? And what is one to think of a government which licenses people to trade on such documents? He then continued that the chargé des affaires of the Queen of Portugal had urgently insisted for the admission of Portuguese vessels from Lisbon. This was impossible. The Emperor had made no change in his relations with Portugal. He was not at war with Portugal, he continued to receive Mr. Navarro as the Queen's chargé des affaires. Portuguese vessels from Brazil, or elsewhere, not enemy's ports, would be freely admitted; but from places notoriously in possession of the English, it could not be, without making a burlesque of the imperial ordinances against trading with the English.

On some allusion that I made to the conduct of the French government and its dependencies towards the United States, which I told him would powerfully negotiate in America in favor of England, he asked me whether I knew that Colonel Burr was gone to Paris.[1] I said I had heard he was arrived

[1] Burr had reached Paris February 16. The *Private Journal of Aaron Burr*, printed by W. K. Bixby, is silent upon an application for a passport to Russia.

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there. He said he did not know of his arrival; but that he knew from a certain source that he was gone there. He said Colonel Burr had written a letter to him requesting permission to come here; but that not being desirous of encouraging people who had fled from the violated laws of their own country, to come into this, he had not answered his letter. If he wanted to come here he must make his application through the minister of the United States, at whose request he would have been readily admitted. The Count added some enquiries respecting the project heretofore undertaken by Colonel Burr, and from all his conversation taken together, it appeared to me to be his impression that this project was not yet altogether abandoned. Some of the English newspapers have asserted in positive terms that the Colonel had proposed to the French government a plan for effecting a separation of the States; that he had while in England made the same proposition to the British ministry with the declared purpose of making it if rejected by them to France. It does not appear from whose confidence the publishers of these paragraphs obtained their information. If overtures of this nature were really made by Mr. Burr to the British ministers, you have doubtless more unequivocal intelligence of them than through the medium of newspaper secrets. Mr. Burr's movements from England to Sweden, and thence through Denmark, Hamburg, and Frankfort to Paris, have been watched and noted by the governments of Europe, as well as by the publishers of newspapers; and from the repeated mention made of him to me by Count Romanzoff, I am persuaded that he considers him as a person still entitled to attention.

Since I saw the Count, he has concluded with Mr. Navarro, the Portuguese chargé des affaires, a convention renewing for one year the treaty between Portugal and Russia, which

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had expired; but with the modification which the Count in his conversation with me had mentioned as necessary; that is, that the admission of Portuguese vessels is confined to those which come from Brazil, or the American dominions of Portugal, and does not extend to the ports of the European kingdom.

I have the honor to enclose copies of a note, which I received some time since from Count Romanzoff, and of my answer, which a severe indisposition prevented me from sending to him until the time of its date. It is much to be lamented that the misconduct of any of our citizens should have such a tendency to counteract the friendly dispositions of the Emperor; and the repetition of any such outrage would certainly lead to measures of restriction upon all Americans coming into this country, which would subject them to serious inconveniences. If this Captain Arnold can be brought to answer for his conduct on this occasion, by any constitutional process in our tribunals, the nature of his offence deserves the most exemplary punishment. But entertaining doubts, both with regard to the point of jurisdiction, and to the means of proof which would be necessary for his conviction, I have avoided in my answer leading to the expectation of a positive prosecution of Captain Arnold in the United States. Perhaps the Emperor may be satisfied with this, but I have to request the President's instructions what I am to answer further upon the subject; particularly if the Count should recur to it again hereafter.

I have the honor, etc.

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TO THE SECRETARY OF STATE

No. 13. [ROBERT SMITH]

ST. PETERSBURG, 30 March, 1810.

SIR:

A few days since I received from a Mr. Sicard, a merchant established at Odessa, a letter informing me of the arrival at that place of an American vessel, the *Calumet*, Captain Holms, from Constantinople, having on board a Mr. Green, who had written to me from Constantinople, but whose letter has not yet come to my hands. Captain Holms it appears was the bearer of a letter of recommendation from Mr. Daschkoff to the Duke de Richelieu, the Governor of Odessa. The French consul at that place in the first instance manifested some suspicion that the *Calumet* was an English vessel, with simulated American colors, but is stated to have been satisfied, on information of the letter from Mr. Daschkoff.

It is stated that this vessel is the first which has ever displayed the flag of the United States, upon the Black Sea. Mr. Sicard mentions that he expects in the course of a few days the arrival of another vessel, commanded by a Captain Ropes, from Constantinople. By what means they obtained admission to Constantinople, and to navigate the Black Sea, I have not been informed. Probably the letter from Mr. Green which I have not received contained an explanation of this event.

By the note from Count Romanzoff, of which I have the honor to enclose herewith a copy, you will perceive the light in which this circumstance is viewed by the Russian government. The establishment at Odessa is an object of peculiar interest and favor to the Emperor Alexander, and if a free access to the navigation of the United States could

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be obtained and secured upon the Black Sea, it would undoubtedly open a new and most important source of profit to the commerce of our country.

At the close of my answer to Count Romanzoff's note, a copy of which is likewise enclosed, I requested a personal interview with him; for which he appointed the ensuing morning. My objects in wishing a conversation with him, related to the case of an American vessel and cargo, which have been seized and condemned at Archangel, for infractions of the imperial ukase of 9 May, 1809, the owner of which, Mr. George Cutts, has passed the winter here, and the restitution of whose property I was desirous if possible of obtaining; and also to intelligence recently received from Copenhagen, that a large number of privateers are fitting out in the ports of Denmark, and that a new privateering ordinance is to be issued by the government of that country. This information has given great alarm to the Americans now here, and who are preparing to return to the United States at the opening of the navigation. Though I do not apprehend that there will be much danger of molestation from that quarter to vessels going from this country, and out of the Baltic, yet as undoubtedly vessels coming hither, especially if laden with what are termed colonial articles, will be intercepted by the Danish privateers, if they should again issue with the authority of their government, I wished if possible to engage the influence of this government to secure the freedom of our navigation to its ports.

Mr. Cutts's vessel, the *Intercourse*,[1] entered at Archangel as coming from the port of Bilbao, but it appeared upon the examination of the commissioners, that she came last from Gothenburg; and she entered before the conclusion of the

[1] Sailing from Portsmouth, New Hampshire, in February, 1807.

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peace, between Sweden and Russia.[1] She was also not provided with a *role d'équipage*, or muster roll, duly authenticated to prove the neutrality of her company. The sentence of the commissioners also mentions, that Mr. Cutts had no passport for himself. These were certainly causes for condemnation conformably to the imperial ordinance. Mr. Harris had some time since presented a note to Count Romanzoff, claiming the restitution of the property on the ground of right. In my conversation with the Count I endeavored without abandoning that to bespeak a disposition of indulgence. The want of so material a paper as the attested muster roll, and the entrance from an enemy's port, in direct contravention against the law of the Empire leave but little prospect of success to the application upon either principle; and although Count Romanzoff has promised to give the subject due consideration, I have no doubt but that the property will remain finally condemned.

I mentioned to the Count the intelligence from Copenhagen, that a new swarm of privateers was fitting out, and that a new sanction for their depredations was about to issue from their government. I suggested to him the apprehension that they might even obstruct the passage of our vessels going home from the ports of this country, and that they probably would arrest many on their way hither coming from America. And the freedom of this commerce being no less advantageous to the interests of Russia than of the United States, I observed that an intimation from this government to the court of Denmark, of an expectation that the avenues to the Russian ports, would not be stopped to the lawful commerce of neutrals, might prevent the excesses which the experience of the last year has given too much reason to expect from Danish privateers. The Count said

[1] September 17, 1809. *Annual Register*, 1809, 784.

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that if the passage of vessels lawfully trading and coming to this country or going from it should be impeded, this government might indeed address reclamations to the court of Denmark; but he did not see the possibility of making any remonstrance of that nature, by way of anticipation, or of stating an objection against the issuing of commissions to privateers, or of an ordinance for their regulation. He added that if this step should be taken by the Danish government, it would undoubtedly be at the instigation of France, in which case, a remonstrance from elsewhere could not much avail; that he lamented the distressing situation of commerce in general, but that there was no remedy for it, but in a general peace. England and France in the pursuit of their measures appeared equally violent and inflexible, and no relaxation on either side was to be expected until they could come to terms of peace.

The remainder of the conversation was relative to the general state of affairs,[1] and to the probability of a negotiation for peace, of which the Count appears to be extremely desirous; which the interest of Russia very forcibly requires; but which from the composition of the British ministry the Count considers as yet very distant. By the late accounts from England, it is probable that some change in the ministry will soon take place, but he sees no appearance of such a change as will lead to peace — a mere change of men; without that essential change of political system, to which England must come before any rational hopes of peace can be entertained. If the change should bring in Mr. Canning, it would only make the continuance of the war more certain. Even if Lord Grenville and Lord Grey should come in at the head of a new ministry, the prospect in his opinion would not be much more favorable. Lord Grenville he

[1] More fully related in *Memoirs*, March 27, 1810.

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thinks, only disapproves the mode of carrying on war by expeditions, and if he should be at the head of affairs, would recur to his old system of fighting with subsidies.

Whether any relaxation of the system pursued for the last two years, is to be expected from Great Britain, is yet uncertain. That of France is more violent, and more determined than ever. From every measure of the French government since their last peace with Austria, it is apparent that in order to prevent the trade between Great Britain and the continent, it will not be suffered in any vessels, of any nation. The confiscations of American vessels and their cargoes which have lately taken place in Spain, and Naples as well as in France, are but the indications of the fate which will await our commerce, in every part of the European continent. I trust there will yet be an exception for those which may reach the ports of Russia; but if Denmark should again commission her privateers, the Baltic will be closed against our trade almost as effectually as the other European seas.

I am, etc.

P. S. — Mr. J. S. Smith, arrived this evening from Stockholm; having been finally obliged to come round the gulph of Bothnia by land. He was accompanied by Mr. Maclure, and in good health.[1]

[1] "You are accused by the English newspapers of April 9th in the following terms: 'The American minister is the meddling advocate for the exclusion of American vessels from the Russian ports, under pretence of preventing the frauds practised under the American flag; but in reality in prosecution of the Jeffersonian anti-commercial system.' And this sensible paragraph is copied into the federal papers, without any comment and to pass where it will for truth. The British party wish to render the mission to Russia as unpopular as possible." *Abigail Adams to John Quincy Adams*, May 28, 1810. Ms.

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TO THE SECRETARY OF STATE

No. 14. [Robert Smith]

St. Petersburg, 19 April, 1810.

Sir:

Since I had the honor of writing you last, I have had no further direct information concerning the American vessel which had arrived at Odessa. The letter which Mr. Green the supercargo of the vessel had written me from Constantinople has not come to hand, but by a subsequent letter from the same gentleman to Mr. Harris I learn that the necessities of the Turkish government arising from the scarcity of grain at Constantinople had procured the admission of this vessel and of several others to the Black Sea. A Turkish merchant had contracted to obtain twenty cargoes of wheat at Odessa, if the Russian government should permit exportation; and as a neutral flag was necessary to secure admission into the Russian ports, this and some other American vessels were engaged for the purpose, and with the assent of the Porte, proceeded into the Black Sea. On their arrival at Odessa, however, they found the exportation of grain to the Turkish dominions prohibited, and are therefore unable to perform that part of the contract in consideration of which the rigor of the Turkish prohibitions had been relaxed in their favor. Whether under these circumstances they will be allowed to repass the Straits without molestation from the Turks may be problematical. The note which I received on the subject from Count Romanzoff, and of which I transmitted you a copy, shows how favorable the disposition of this government is to the extension which our commerce would receive by a free admission to that part of the Russian

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dominions; but the jealousy of the French consul at Odessa was roused by the appearance of the American flag, which he naturally enough considered as assumed to disguise an English vessel; and since the arrival of several others, bearing the same colors, the number of which the rumors of this capital have exaggerated to forty, the French Ambassador has manifested a similar jealousy to Count Romanzoff. The Count who informed me of this last week had not received any official intelligence of the arrival of any other vessel than the first, which he told me he had assured the Ambassador was *bona fide* and certainly American; having brought a letter of recommendation from Mr. Daschkoff himself to the Duke de Richelieu, the governor of Odessa.

The relations between France and Russia, have apparently been themselves somewhat affected by the recent changes in the state of European affairs; and most especially in consequence of the new alliance between France and Austria, formed by the marriage of the Emperor Napoleon with the Archduchess Maria Louisa, eldest daughter of the Emperor of Austria. In the late war between France and Austria Russia was at least in point of form a party as auxiliary to France. And in the treaty of peace it was stipulated that a territory containing four hundred thousand inhabitants in the province of Galicia should be ceded by Austria to Russia. Soon after the conclusion of the peace, an Austrian officer of rank, Count St. Julien, arrived here, authorised to treat for the execution of this stipulation, but without being vested with any formal diplomatic character. In arranging the convention to carry the cession into effect, a question was made by Russia, which arose from a mode of computing inhabitants peculiar to this country. By a territory of so many inhabitants they understand the number not of souls, but of families; and they considered this as the proper con-

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struction to be given to the stipulation of cession made in their favor. As the treaty had been between Austria and France, it was agreed to refer for the meaning of this article to the opinion of the French government, which was given in favor of Austria. In this decision, Russia did not hesitate to acquiesce, and the convention has been concluded and ratified by both sovereigns accordingly. A circumstance which has excited much more the attention of political observers, because as an omission of formalities it has been more generally known, is, that to this day there has been no public and formal communication of this marriage, made to the Russian government, either by Austria or France. The negotiation which terminated in this contract of marriage was not only kept a profound secret to the Russian Ambassador at Paris, but he was even led to believe and to communicate to his court the belief that the choice of the Emperor Napoleon had fixed upon a different person. I am told that there has been a confidential communication of the marriage, made by the French Ambassador here to the Emperor Alexander in person, and this account is in all probability true; for one of the first noblemen and principal ministers of the Empire, Prince Alexis Kurakin, brother of the Russian Ambassador at Paris, is appointed Ambassador extraordinary to compliment the Emperor Napoleon upon this event, and is already gone to execute this mission. But symptoms of regret have been suffered to appear in official French papers at the sacrifice which Sweden was compelled to make of Finland, at the late peace of Fredericshamn, and the Emperor of the French has himself declared that he will *protect the Porte* if the Sultan will extricate himself from the influence of England. Russia wages at this moment a war of oppressive expense, and of equivocal success against the Porte. The Emperor Alexander wishes much the termina-

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tion of this war, but considers it indispensable to obtain at the peace the entire sovereignty of the provinces of Moldavia and Wallachia. The assent of France to this arrangement has already been obtained, but there is some reason to believe that now France will not be displeased, if eventually the war should conclude without securing this new accession to the Russian dominions. This disposition might acquire new strength also, if the Porte, by breaking off all connection with England, should lay a claim to the Emperor Napoleon's promise of protection. But the point upon which a difference between the policy of France and of Russia may be the most difficult to conciliate, is that of the commercial intercourse with England, which, though severely forbidden by the Russian ordinances, was carried on through the course of the last year to a great extent. This commerce, altogether advantageous to Russia, highly important to her revenues, and in the present condition of her finances, perhaps of absolute necessity to preserve her from a formal bankruptcy, is however incompatible with the design of the French Emperor, to annihilate the commerce of England with the continent of Europe. The measures which in the pursuit of his purpose he has successively imposed upon Denmark, Sweden, Austria, Holland, the Rhenish Confederation, and Prussia, have already been made known to you. They will all however prove ineffectual while the intercourse between England and Russia can be kept open. The necessity of strong measures to render the former prohibitions effectual, have been and continue to be pressed upon this government by France, and have not yet been entirely successful. I wish, though without very confidently hoping that the regulations which Russia may finally be prevailed upon to adopt, our own commerce may be altogether exempted from that proscription, which will again be denounced against the commerce of

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England — that commerce which like the hind of Dryden's fable has been so often "doomed to death, though fated not to die."

The English government has not neglected the opportunity which the declining ardor of the political harmony between France and Russia seemed to present, for producing a rupture between them. The English party here have been active in such proceedings as the nature of the government would admit, and secret propositions have been made from England for a separate negotiation with Russia, which have been rejected with pointed decision. The ascendancy of France at this court will without doubt be more firmly secured by the result of her new alliance with Austria, even if it should be brought to the test by the requisition of measures the most repugnant to the inclinations of the government, as well as to the interests of the nation.

I have the honor, etc.

TO THOMAS BOYLSTON ADAMS

St. Petersburg, 21 April, 1810.

. . . . . .

I have hitherto scarcely written you anything upon the political affairs of Europe. Events, which in ordinary times would be considered as of extraordinary magnitude, succeed one another in such rapid succession, that I should hardly have had the means of sending away a view of the public appearance of Europe, before it would have assumed a new one. At the time when I embarked at Charlestown, a war almost universal was raging upon this continent. Since then the peace of Sweden has been concluded with Russia, with Denmark, and with France; that of France and Russia with

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Austria has been succeeded by the dissolution of marriage between the Emperor Napoleon, and his second marriage with the eldest daughter of the Emperor of Austria. The consequences anticipated from this last event, the most unexpected of any of those which I have mentioned, are greater than from all the others together. It has not only given the most cheering hopes to the house of Austria that it will be preserved from the downfall of the Bourbons, but the whole continent of Europe considers it as a pledge of future peace and tranquillity, which may very possibly not be realized. Its tendency to consolidate and give stability to the new imperial family of France is more obvious and more certain. Napoleon is the Croesus of the age, and those who believe that the universe is governed by the wisdom and goodness of a superior being, can only recur to the caution of Solon, and beware of pronouncing upon a man's fortune until they have witnessed his end.

In the meantime everything that occurs in the world seems to be fashioned in subserviency to his views. British politicians and their disciples throughout the world have hitherto found no other expedient, than to stimulate resistance against him where it could not fail to be subdued, and to stigmatize the victims which they have successively offered up in sacrifice to him. He said, or wrote on a late occasion, that the genius of France had directed the British government in their expedition to the Scheldt; but a genius favorable to him appears to have inspired the British councils from the moment when, in the face of their engagements, they set him at defiance, to keep possession of the island of Malta. To those who feel a real concern for the independence of nations and the liberties of mankind, it is truly mortifying to observe the little men and the little means, by which the great powers and resources of England are wasted in this

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contest. When we read in ancient history the final struggle between Rome and Carthage, we see the triumph of one system of political institutions over another, but the greatest man is on the vanquished side. Now we have a more melancholy spectacle, the superior system of political institutions defeated by the individual imbecility of its supporters. That it may remain no secret to the world, a parliamentary inquiry has been many weeks employed to expose it in its minutest and most disgusting details. The expedition to Walcheren is but a single specimen of the manner in which the great affairs of the British nation are managed. It appears to have been undertaken in the fact of what to men of common sense must have been considered a demonstration of its impracticability. Its conduct was then committed to a man,[1] who would hardly have been fit to take possession of the place after its capitulation. Twenty thousand men are sent into the midst of a notorious pestilence, and when the physician general of the army is ordered to go to their relief, he positively refuses on the avowed ground that he knows nothing about contagious distempers. When this wise undertaking comes to its natural termination, the ministers try to throw the blame of the failure upon their colleague the general. The general puts it off upon his coadjutor the commander of the fleet.[2] One intrigues against his associates with the king, another betrays his friend by a sham defence of his in Parliament. Ignorance and folly appear alike conspicuous in all, and those are the antagonists who are to maintain the balance of the world against the genius and the fortune of Bonaparte.

The choice of Mr. Jackson, and the manner in which he executed his mission in America, furnish another chapter of

[1] John Pitt, second Earl of Chatham (1756–1835).

[2] Sir Richard John Strachan (1760–1828).

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the same history perfectly corresponding with it in its characteristic features. Fortunately both for England and for us, when Mr. Jackson's hard studied vivacities and their effects come back to Europe, the facetious and spirited gentleman,[1] who had sent him out to repair the cracks and flaws of his master's *dignity*, was laid up with a lame leg, caught in the attempt to trip up the heels of a ministerial colleague,[2] and was engaging the leisure of a temporary retirement from the Cabinet.

His successor,[3] of whose personal character I have little knowledge, appears at least to be gifted with a little more discretion, and has not undertaken to bear out Mr. Jackson in his lofty pretensions and fiery temper. What the actual state of our affairs with England is I am not authentically informed, but the rumors of the Gazette announce that a new convention has been signed by Mr. Pinkney and the Marquis Wellesley, to take effect in case it should be ratified by the American government.

It is much to be wished that this may be true. If it should prove so, and our commercial and amicable intercourse with England should be restored, I am persuaded that France and her dependents will follow the example. At present they are heaping outrage upon outrage in their treatment of us. If our merchants have not been allowed to arm their vessels, nine-tenths of those which may hazard a European voyage will meet no other reception than seizure and confiscation. But if we could once make an arrangement with England consistent with our right and our honor, our commerce is competent to defend itself against all other force that it

[1] Canning.

[2] Castlereagh. The reference is to the duel between the two men, Canning being slightly wounded in the thigh.

[3] Richard Colley Wellesley, Marquess Wellesley (1760–1842).

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would meet upon the ocean, and to teach once more a lesson of forbearance and moderation to France and all her dependants. Would I might see that day!

Remember me duly to all our dear friends around you. We enjoy as good health as this excessively severe climate can be expected to admit. I have received the *Patriot* down only to the 4th of November, and read its columns with great interest and pleasure. The letter to Congress in 1781 about the invasion of Zealand by the English was a prophecy just now fulfilled.[1] Ever affectionately yours.

TO JOHN ADAMS

ST. PETERSBURG, 30 April, 1810.

MY DEAR SIR:

. . . . . .

The reception which my family and myself have met here has been everything that we could desire. The disposition of the Emperor towards the United States was manifested in the strongest and most friendly terms by him at my first audience, and has been frequently repeated by his principal minister, the Chancellor, Count Romanzoff, from that time to the present. The personal attentions which we have received have been so numerous, that with my habits and feelings, the only cause of complaint has been the mode of life in which they have necessarily involved us, a mode of life, for which neither the taste nor the constitutions of most of us were suited. At the hazard of giving offence by denying a great proportion of the hospitable civilities crowded upon us, I have extricated myself from a course of dissipation in which we should otherwise have been inevitably involved,

[1] The letter is dated January 1, 1781, and is in the *Boston Patriot*, November 4, 1809, but is not in the *Works of John Adams*.

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and which is as incompatible with the habits of industry to which I have been used, as with those of economy, which my situation so imperiously imposes upon us.

Of the continuance of these amicable dispositions towards my country I still receive frequent marks by communications from the Chancellor, nor have I any reason to apprehend any unfavorable change, as long as this government shall follow the impulsion of its principles and interests. The Emperor and his ministers are thoroughly convinced that all the relations existing between the United States and this country are beneficial to Russia; that they are already important, and susceptible of being made much more so. But how far these sentiments may be found to yield occasionally to a French or English influence, is beyond my power of anticipation to say. They arose and acquired their strength in opposition to an English influence, which for many years predominated at this court with irresistible power. It is now not at all favored by a French influence, almost as overruling, an influence, which instead of being impaired by the new alliance of France with Austria, will acquire additional vigor from it.

The marriage of the French Emperor with the Austrian Archduchess is an event which has occasioned great joy throughout the continent of Europe. The *people*, who everywhere were shuddering with the anticipation of the rivers of their blood which might yet flow to swell the great deep of the conqueror Napoleon's triumphs, *now* flatter themselves that this ocean will crave no more supplies. It must be the fervent prayer of humanity that this hope may be realized. But the bond of marriage is a feeble tie in the way of ambition, and if it had ever proved strong, Napoleon has already shown the world what account he makes of it. The tendency of this transaction to establish and consolidate his

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power is to my mind more obvious, or rather more certain, than of its securing tranquillity to the world. This idea has been expressed more ingeniously in the motto of an illumination at Amsterdam than I have seen it anywhere else. "Pax Thalami, Pax Orbis erit." But in this promise I am afraid the remaining subjects of the king of Holland will find themselves as much disappointed, as in their project of preserving their national independence by accepting a brother of the great Napoleon for their king. The nuptial torch is not formed to extinguish the fires of conquest. For my own part I perceive no refuge from the past, present and future miseries of mankind, but in the doctrine of the optimist:

> If storms and earthquakes break not Heaven's design,
> Why then a Borgia or a Cataline?

One of the greatest admirers of this extraordinary personage, not long since expressed to me a serious apprehension that he would some day lay claim to worship from mankind, as a being of a superior species. Observing that I smiled at his alarm, he assured me from his own personal knowledge of the man that he does entertain this idea of himself, and has repeatedly manifested a propensity to give it out to the world. He has, indeed, the example of Alexander, and still more that of Mahomet, before him; and notwithstanding we live in an age so enlightened, I am not sure that if he chose to proclaim himself a deity, like Alexander, or a prophet, like Mahomet, he would not have eight hundred thousand soldiers ready to propagate his faith at the point of the bayonet throughout the habitable world. I can only hope that among the mysterious dispensations of providence is not included that of permitting a fifth part of the human race to prostrate themselves in adoration before the god Bonaparte. The transition from infidelity to fanaticism is as easy and as

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natural as that from unbounded democracy to despotism, a transition of which France is exhibiting so glorious a demonstration. I believe nobody will now deny, that the time has come which you foretold, when nobody would believe you, that the very name of republicanism is more detested in France than that of monarchy ever was at the moment of its destruction. This hatred of republics is not without its influence in producing the treatment which *we* experience from France, which will continue as long as we suffer the same sort of treatment from England, if not as long as our merchants continue to furnish gratuitously temptation and gratification to the spirit of plunder. I am, etc.

TO JOSEPH PITCAIRN

ST. PETERSBURG, 8 May, 1810.

MY DEAR SIR:

I received by the last mail your favor of 21 April, which contains much interesting information, for which I give you my thanks. I had also duly received your letters of 26 January and 9 February, to which I have not hitherto replied, partly owing to an indisposition which confined me for some weeks, and partly from a dearth of any information to return, which could be interesting to you.

I shall take such steps with respect to the subjects mentioned in your last, as may be answerable to your intentions as well with regard to the Prussian government as concerning your own affair. The conduct of France towards the United States has been, and continues to be, such that I have not thought it advisable very assiduously to cultivate the acquaintance of the French Ambassador here. On one occasion, an important one, I endeavored to engage his in-

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fluence with his government to change, or at least to moderate, a course of proceeding towards us equally unjust and impolitic. I found his own dispositions favorable, and I have no reason to believe them altered; but his influence with his government is itself perhaps not very great, unless upon subjects within the province of his office, and he was not willing to make himself responsible for anything which might seem to counteract its general policy. Under these circumstances it will, perhaps, be some time before I can have an opportunity to speak to him upon your business in a manner which may be of any service to you, but if the occasion should present itself, you may rely upon everything on my part which a sense of justice, as well as of an unabated and ardent desire to serve you, can suggest.

The political and commercial relations between France and the United States are doubtless in a very unfavorable and unpromising condition. The measures of France, I believe, will rather irritate than terrify our countrymen, and fifty per cent [1] may be still a fortunate rate of ransom for the individuals who can extricate themselves by that sacrifice. The tenth article of the late treaty between France and Holland speaks as unequivocally the disposition of France towards the United States, as the condemnations in France, Spain, Naples and Trieste, on the allegation that French vessels are so treated in the United States.

It gives me pleasure to learn that the property which had been sequestered in Holstein has been principally restored. The new Danish ordinance for the regulation of privateers gives me some uneasiness, though it is represented as a moderating qualification of the former law.

The dispositions of the government here continue to be

[1] Levying a duty of fifty per cent *ad valorem* on colonial produce actually in Holland.

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favorable and friendly towards the United States. A great number of arrivals from America is expected as soon as the navigation shall be open. The Neva remains yet frozen over, which so late in the season is almost unexampled. It cannot, however, last many days longer. I am, etc.

TO WILLIAM EUSTIS

St. Petersburg, 10 May, 1810.

My dear Sir:

I send you together with this letter some additional information respecting the cultivation of hemp in this country, together with a long extract from a French treatise on the same subject, furnished me by a friend here in answer to the questions of General Hampton. It appears that there are no machines in use for the preparation of this plant in Russia, other than those which are well known throughout the United States, and which are applied to flax as much as to hemp.

I write you now in daily expectation that the breaking up of the river Neva will restore the possibility of navigation between this country and ours. Twelve or thirteen other American vessels, besides that in which I came from America, have been detained here through the long period of a Russian winter, unusually protracted to this time, and wait only for the moving of the waters to take their departure. I wish they may all arrive safe at the places of their destination, but they are all exposed to the danger at least of Danish privateers. The proceedings of Denmark during the last year in relation to the commerce of the United States must be well known to you. The depredations of their privateers were so excessive, that before the close of the last summer a

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royal order was issued revoking all their commissions. A new ordinance has, however, just been promulgated containing a new set of regulations, or rather some slight modifications under which they were authorized heretofore, but the effect of which beyond all doubt will be the capture and condemnation of a great additional mass of American property.

Besides the individual American sufferers, who have been involuntarily detained to claim the justice of the Danish government upon their own cases, Mr. George Joy and Mr. Forbes have spent the winter at Copenhagen, endeavoring to give something like official weight to their representations. The consul of the United States there, Mr. Saabye, being himself a Danish subject, partner of a commercial house which probably transacts business for the government, has been thought by most of our unfortunate countrymen who needed the benefit of his interposition, not so warm in his zeal or so active in his exertions for them as the duties of his office required. But it is very much to be doubted whether any merely pacific representations would suffice, to overpower the impulses under which the Danish depredations upon our commerce have been committed.

Denmark has suffered extremely by the war in which she was so suddenly and unexpectedly involved. Her commerce has been almost annihilated. The most profitable source of her revenues has been nearly drained, and she has been compelled to maintain an army far more numerous than her population can bear, but which so long as the island of Zealand is not invaded, is a burden as useless as it is oppressive.

A small English squadron has been stationed at the passage of the Sound, which has suffered scarcely any neutral vessels to go through there. The navigation and commerce of the Baltic have been thus forced through the channel of

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the Belt, and Denmark has lost the duties which for many ages she has been accustomed to levy upon the passage of the Sound. Most of the American vessels which have come into the Baltic during the last season have passed through the Belt, either by their own preference to save the Sound duties, or to take the benefit of the English convoys, which has always very readily been allowed, or finally, because upon presenting themselves at the entrance of the Sound, they have been stopped by the blockading squadron, and had no choice left but to come through the Belt or abandon the voyage. In passing by the Belt, and even in taking English convoy, the Americans have had no idea of violating the laws of neutrality, but the Danes entertain a different opinion. This circumstance has exasperated them not only against the individual transgressors, but has stimulated them to animosity against our nation itself. Many Americans have navigated under British licenses. Several British vessels have been detected in attempts to trade under American colors with forged papers. Almost all the corresponding merchants and consignees of Americans in Denmark, and generally in the north of Europe, are English houses, or houses in time of peace engaged in extensive trade with England. Add to all this the temptation afforded by the richness of the spoil, and the security felt from the prevailing opinion, that it is utterly defenceless, together with the sharp and incessant instigations of France, and you may conclude what prospects await most of the American vessels which will swarm to the Baltic the ensuing summer.

Among the slight and mutilated accounts which come to us from America through the medium of French, English and German newspapers we have heard of a bill or resolution proposed in Congress by Mr. Burwell, for authorizing convoys for our vessels, and also for permitting them to be

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armed and to defend themselves against privateers.[1] I am persuaded that some provision of this kind would be attended by the best consequences. There are very few, if any, English privateers out, and as the measure does not propose resistance against national ships of the belligerents, it would not probably produce any additional collision with England. There would doubtless be occasional captures by French privateers, but not so many as there are in the present state of things, and they would probably not fare worse. But against the Danish privateering system it would give a defense altogether adequate to the need. The numbers and the force of the British armed vessels on all the Danish coasts are such, that no Danish privateer of any considerable force can be fitted out and keep the sea. The privateers which molested our navigation so much last summer, and those which I fear will prove most pernicious in the next, are mere sail boats, often without a deck or even a cannon, which sally from the harbors just as our vessels are passing before them, and take them only because the authority to resist is not allowed to the American.

There have been serious and repeated propositions made by France to England for opening a negotiation for a general peace. The Austrian Prime Minister, Count Metternich,[2] has been some time at Paris, and through him I understand the mediation of Austria has been formally renewed to the British government. There appears, however, a great aversion to peace in England, and this aversion is not confined to the ministerial party. They do not yet consider the cause of Ferdinand VII in Spain as so desperate, that they would be justified in abandoning their recent treaties in his favor. The account of affairs in Spain will reach you as soon and

[1] *Annals of Congress*, 11th Cong., i. 1225.

[2] Clemens Wenzeslas, Prince Metternich (1773–1859).

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as near the truth as they come here. The European continent and the British islands exhibit newspapers corresponding to those of our parties in America. The gazettes of this continent, without exception, are little else than extracts from the *Moniteur* and the *Journal de l'Empire*. They say precisely everything which the French government intends should be said, and nothing more. The English papers with some variety and much opposition between themselves, owing to a remnant of liberty left to their press, say little or nothing of foreign affairs but what their government chooses should be said. Almost all their news from the continent is false. The French practice of suppressing everything which happens unfavorable to them produces, however, numerous reports of such events, which circulate in whispers, and which are often unfounded or exaggerated. It is now currently reported here that they have been defeated in Spain, on the frontiers of Portugal, and that they will be obliged to raise the siege of Cadiz. If there is any material foundation for these rumors, the reluctance of the British to a negotiation for peace will be stronger than ever. I am, etc.

TO GEORGE JOY

St. Petersburg, 11 May, 1810.

Sir:

I have successively received your favors of 16 March, 10, 14 and 17 April, with the original and English translation of the late Danish ordinance for the regulation of privateers. Your letter of April 14 came to hand not until yesterday, though that of the 17th, with the translation of the instructions, had been received by the preceding post. I answer all these letters at once, not because the contents of each of

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them did not require from their interesting character a separate answer, but because, understanding that the clerks of the post office at Copenhagen are admitted as third parties to the confidence of all private correspondence which passes through their hands, I have not been willing to add to the severity of their duty the trouble of perusing letters, which would afford them so little amusement as those which I might have written you.

That the king of Denmark, his ministers and his people should be extremely exasperated against England, is not only natural but perfectly just. Among the examples of political profligacy and wanton outrage which the European nations for the last half century have rendered so familiar, the British attack upon Copenhagen, as far as I have been able to estimate its merits, stands at the very pinnacle of infamy. From the little opportunity which I had during the last autumn to witness the feelings of his Danish majesty's subjects in Norway, and even in the island of Sōelland [Zealand], if anything struck me with peculiar force, it was the *little* sensibility manifested upon that atrocious act. For however the Russian government may be suspected of connivance at the trade carried on to so great an extent between this country and England, they could at least retort, that the Danish dominions have to their full proportion participated in the same trade.

It appears to me also that proof more unequivocal might be given of a sincere and just resentment against England, than by measures specially and avowedly pointed against Russia and the United States.

Whether the new instructions have in their original language more *precision* than their predecessors, I am not qualified to judge. In the translation which you have been kind enough to present me I find anything but precision.

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The renewal of privateering under any instructions speaks a language too intelligible to us Americans, who know that the really British trade is too well protected to fall within the grasp of Danish privateers.

It is a circumstance which gave me not less surprise than pain to learn that Count Bernstorff so positively assured you, not only before the ordinance issued, that taking British convoy would be cause for suspicion and not for condemnation, but even after it was public, that such was the regulation. It justifies if not requires inferences which I am not unwilling to make. As to the principle itself, I believe it to be entirely new and not justifiable upon the application of any ancient principle of national law. Equitably considered, no doubt taking hostile convoy affords ground of suspicion, but it neither makes the ship enemy's property, nor loads it with contraband. It is, therefore, virtually an inconsistency to say in one section, that a friend's ship shall protect the cargo of an enemy, and in another than an enemy's convoy shall be cause for confiscating a friend's ship.

With respect to the remainder of this ordinance the following observations have occurred to me. 1. The bonds required to be given by the owners of privateers are so trifling that, as a security against misconduct, they might as well give none; 1000 rix-dollars are not more than equivalent to 300 dollars American currency; 15,000 rix-dollars is the maximum to be required. If that had been prescribed on the contrary as the lowest sum, it would scarcely have been adequate. If the translation is correct, the *owners* of the privateers are not even responsible in their property (excepting the privateer itself) for damage done to the captured ship.

2. Among the papers enumerated as necessary for the neutral vessel are two at least, which are not customary on

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board American vessels, and which many of them will not possess, viz. a bill of gauge (distinct from the certificate contained in the register), and a *receipt for having* paid the custom or duty. The former Danish privateering laws required a bill of measurement, but as that is always included in our registers the courts must have taken that as sufficient. The new ordinance requires it as a separate paper, and that it should agree with the measurement in the register. In the former law the custom house clearance was required; but how can a receipt for the payment of duties be exhibited when no duties have been paid? Our constitutional laws do not allow duties to be levied upon exportation. The ship's journal is also a document which was not required by the former law. Possibly the difference in the two other cases is in the translation, and not in the original language. It is not to be presumed that the Danish government intended to prescribe papers which they know our ships do not possess, and to authorize the capture of all vessels not possessing them. Especially when neither of the papers can be material to the neutrality.

3. In § 14, the privateer is authorized to compel the commander of the neutral vessel to come on board of him with the ship's documents. This is also in the former ordinance, but is it consistent with the law of nations or with equity? The right of the belligerents, and no nation knows this better than the Danes, is merely a right to *search* the neutral. He has no right to order the captain of the neutral out of his ship, nor to separate the ship from her papers. Both these things are extremely inconvenient and dangerous to the neutral. If I am not misinformed, there is even now at Copenhagen an American vessel of unquestionable neutrality, condemned in the first instance and in danger of being so upon the appeal, because in the most imminent peril of

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shipwreck her papers were transported into another vessel, and could not afterwards be recovered.

4. By § 23, the neutral vessel carried into port is liable, even upon the first examination of the magistrate, to be unloaded, *if the privateer insists upon it.* This is not in the former ordinance, and you can judge to what excessive abuses such a license is liable by privateersmen, who may be under 1000 rix-dollar bonds, and not worth another thousand in the world.

I know not whether you will have any opportunity to urge these objections in a manner which can have any influence in producing their removal. The deepest injury we have heretofore suffered, as you remark, has not been owing to the law, but to the constant violation of every law by the privateers — to the extraordinary proceedings of the courts, and to the utter impunity of the privateersmen, even of those whose outrages were most destitute of every shadow of pretence.

What Count Bernstorff's information may be, which leads him to believe that we are upon the eve of an adjustment with England, is not for me to say; that such an adjustment will take place appears to me very probable, but I neither believe nor fear that it will be followed by any additional hostilities of France towards us. France and her allies, Denmark included, have been laboring to the utmost of their power to reconcile us with England. For this we owe them no obligations. Their services are like that of the man, who in aiming a dagger at the heart of his *friend*, opened an abscess, and saved his life. If England has the sense to offer us terms which it is possible to accept with honor, France and Denmark too will follow the example. For speaking of France and her allies, I must in common candor make an exception in favor of Russia. With resentments if not quite

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so deep, certainly as just and as sincere as those of Denmark against England, the Emperor of Russia hitherto has distinguished the difference between English and Americans, between inveterate enemies and valuable friends, between war against maritime usurpation and the plunder of lawful neutrality.

The Emperor Napoleon has, indeed, shown not a little address, in bringing so much of his cause at the present period of his English war upon the British Orders of Council of November, 1807. On this point the British are as unable to answer his argument, as they are to shake the crown upon his head by their arms. They have put themselves in the wrong, and he is contriving that they shall not have the merit of treading back their steps without humiliation. Your observations on the use which may have been made in negotiation of this French manœuvre, are ingenious, but I think the calculation of Napoleon, or rather of him *whose hand is visible* in this policy, was directly the contrary. He was afraid, as you think, that England would yield the point to us, and started our claim as his own, to kindle British pride in support of British obstinacy against yielding the point at all. He knew that whenever *peace* should be on the carpet, this could not in the nature of things make any question between him and England. But he knew that if England gave up this, she would instantly have all our trade again, and take from him his pretext for plundering us. He understands the English character well. I hope you in this instance have understood it still better. I am, etc.

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TO THE SECRETARY OF STATE

No. 15. [ROBERT SMITH]

ST. PETERSBURG, 19 May, 1810.

SIR:

. . . . . .

I know not upon what recognized principle of the laws of nations, Denmark can justify the condemnation of neutral vessels merely for having occasionally joined a British convoy. The only principle which can give color to such a doctrine is the British fiction that by enjoying a privilege granted by an enemy which is not allowed in time of peace, neutral property is transmuted into the property of the enemy. It is however not to be denied that a belligerent convoy is not altogether compatible with the privileges and obligations of neutrality, and it is to be regretted that any of our own vessels have found themselves under the necessity of taking it. So far as respects the Danes, if one or two of our own frigates were stationed in the North Sea and in the Baltic, near the entrance of the passage on both sides of the Belt, they would be adequate to protect all our merchant vessels against Danish privateers. This measure I am persuaded would be attended with happy effects, not only by protecting much property which will otherwise be lost, but by impressing the Danish government itself with the idea, that the United States are not without means of defending their commerce. The spirit of rapine, of which England and France are exhibiting such extraordinary examples, is infectious. Denmark is suffering beyond the bounds of endurance by the war, into which she was so wantonly plunged by the aggression of England; her active and profitable commerce is

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annihilated; her fleet in possession of the British; her revenues decayed; her finances in ruin, compelled to maintain an army, six times greater than her population can bear, and cut off even by the control of France, from the advantages which American merchants were pouring into her lap. In this state of national wretchedness, and of famine, her people see from their shores our ships richly laden sometimes passing under the protection of her enemy, and in their views of things defrauding her of her lawful toll duties; and sometimes without any protection at all, presenting a prey equally tempting and easy to the grasp of plunder. Heroic virtue is not the fashion of the age. The excitement is too strong to be resisted. It becomes essential to counteract it by exciting sentiments of a different description, and none can be so efficacious, as the assurance that the property will be defended.

In the midst of the extreme rigor with which France is interdicting to her allies all commerce with England, it is said from sources which I believe to be correct, that the direct trade between France herself and England by licenses has become very extensive. The French government grant licenses to all vessels which carry grain, to bring back any cargo, at their owners' option, and on the vessel's return, no questions are asked from whence she came, but a tribute of thirty per cent on the value of the cargoes is levied by the government upon this trade. And this is what they call the continental system. The crime of Holland, for which a fifth part of her small population and territory has been taken from her, was trading secretly with England. The Emperor Napoleon uses no such secrecy; he licenses vessels to trade with his own signature, and, ridiculous as it may appear, there has been a report in circulation, to which these circumstances have given some countenance, that France and

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England are about to make a treaty of commerce together, without making peace.

The ice of the river Neva has at length broken up, after remaining later in the season than has been known since the foundation of the city. It has not yet disappeared from the Gulf of Finland, even between this place and Cronstadt. Upwards of twenty American vessels, bound to various ports on the Baltic have already passed the Sound, and I have heard already of two carried in by Danish privateers under the new ordinance. I have received several applications from persons desirous of being appointed consuls for the United States in Prussian ports, some of which are open for American vessels. There would be an advantage at the present times if we had *faithful, and active consuls* at Memel, at Königsberg, and at Stettin. I say faithful, because they would otherwise carry on English trade, for English houses, and connive at or support the London manufacture of American papers; and I say *active*, because while France pursues her continental system, in her present manner, and Prussia is at the mercy of France, seizures like those in Schleswig and Holstein, or articles in treaties like the tenth of that between France and Holland, could not be prevented, and might occur from one day to another. The consul should have the talent of discerning the symptoms which indicate the approach of such measures, and if duly active might in a great degree succeed in neutralizing their effects.

I have the honor, etc.

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TO THE SECRETARY OF STATE

No. 16. [ROBERT SMITH]

ST. PETERSBURG, 25 May, 1810.

SIR:

Mr. Heard [1] of Boston arrived here a few days since, having travelled over land from Constantinople. He has given me some further information respecting the American vessels which had been admitted there. They were only two; one of which was the brig from Baltimore, which proceeded to Odessa, and the other still remains at Constantinople. Mr. Heard informs me that a representation from the Americans, as well at Constantinople as at Smyrna, has been forwarded to the President of the United States, setting forth the public advantage which might be derived from a treaty of commerce with the Ottoman Porte, and the inconveniences and vexations suffered by the Americans, who without the protection of such a treaty have obtained access into the Sultan's dominions. Undoubtedly the free admission to the navigation of the Black Sea would open a new source of prosperity to the industry and enterprise of our country. I have already had the honor to inform you of the favorable light in which this object is considered here, and I now enclose an article extracted from the gazette of this city, which was certainly not inserted without the approbation of the government, and which contains another manifestation of the same sentiments, which have been officially expressed by the Chancellor, Count Romanzoff. At present, the Americans who reach Constantinople, or even Smyrna, are obliged to put themselves under the protection of some European

[1] John R. Hurd.

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government, and to assume their flag. The usual circumstances, which in all foreign countries assimilate our people to the English, have in general induced them to seek the protection of that flag, when they could obtain it, and it has not been gratuitously or very liberally bestowed. Mr. Heard says that the good offices of the Swedish chargé des affaires finally obtained the admission of the two American vessels, and that no small part of the opposition which they had previously met proceeded from the English minister. There is a greater disposition of indulgence and amity at Constantinople towards Sweden, than perhaps towards any other European nation. The origin of which may be traced to a common fear of Russia. The Swedish treaty with the Porte is said to secure to the subjects of that kingdom extraordinary privileges, and is recommended as a model for that which is desired to be obtained for the United States. Mr. Palin, the Swedish chargé des affaires, gave Mr. Heard a letter for Count Stedingk, the ambassador of his nation at this court; in which he mentions what he had done in favor of these Americans, and that he had given notice of it to the king of Sweden, and requested his permission to extend the same good offices further, until the United States should have a treaty with the Porte. With respect to this last object he adds, that its success will in a great measure depend upon the observance of secrecy, alluding I presume to the opposition which I have already mentioned, and perhaps to that of other Europeans besides the English. For at Constantinople, as in the states of Barbary, as the admission of any Christian nation to commercial access is in the nature of an exclusive privilege, they who already possess it consider it as a general principle of policy, as far as they are able, to prevent the admission of a new comer, to participate in the benefit. With regard to France also, at the present

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juncture we must expect all the ill offices that her public agents can employ against us as well in Turkey, as elsewhere.

In other respects perhaps no opportunity could be more promising than the present, for obtaining a favorable treaty with the Porte. The influence of France and of England is, as far as I can learn, equally weak there. The Turks have received so many and so great outrages from both the parties that they are equally exasperated against both. The English minister has been for several months on the point of quitting the capital, and his departure has been only delayed by the refusal of the Sultan, to permit the frigate, which was to take Mr. Adair away, to pass up to the city. At the same time, actual hostilities have taken place between the Turkish and French troops, on the frontiers of the territories ceded by Austria, in the late treaty of peace.

There have been some popular disturbances at Constantinople, and a great fire, which destroyed a great part of the suburb of Pera — Mr. Heard says, six thousand houses. This too is considered as an indication of discontent among the people. But it appears that a supply of grain has been obtained from Egypt, and the scarcity to which the commotions were attributed has been at least in part removed. The vessels which had been chartered to fetch grain from Odessa were not allowed to take it, the very scarcity which they were intended to remedy having occasioned a prohibition of exportation by the Duke de Richelieu, the governor of the Russian provinces in that neighborhood. The want of exportation, however, was felt at Odessa as severely as the want of importation at Constantinople, and I have some reason to believe, that the government here and the Duke de Richelieu himself now regret that the opportunity of so profitable a trade has been lost. The example of France,

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where in the midst of all the rigor of the continental system licenses for the exportation of grain to England have not only been freely granted, but promoted by permissions implied if not expressed to bring back English manufactures, or any thing else in return, has strongly recommended a similar relaxation here, and if the scarcity at Constantinople should continue, or again occur, I think the prohibition of exportation on the Russian part, will not remain.

The hopes of peace between Russia and the Porte, are as unpromising as of that between France and England. The late commander in chief of the Russian army against the Turks, Prince Bagration,[1] since his removal has not returned to St. Petersburg. His successor, General Kamensky [2] has again crossed the Danube, and resumed offensive operations, but whether he will be able to maintain them, is much doubted by the military men here, who know the difficulties of the country which is the scene of the war, and the condition of his army suffering, it is said, severely by disease.

The occasion upon which the recent hostilities between the Turkish and French troops on the borders of Croatia, was a question relative to boundaries. By treaties between Turkey and Austria previous to the late war of the latter with France, the Porte had stipulated to cede to Austria certain fortresses and districts of territory bounding on the province of Croatia. The influence of France, however, had prevented the delivery of these places into the actual possession of the Austrians, these provinces having been included in the cessions from Austria to France, by the late treaty of peace. The French troops have been ordered to take possession of these places, which though ceded had never been delivered to the Austrians. The Turks, were as unwilling

[1] Peter Ivanovitch, Prince Bagration (1762–1812).

[2] Nikolai Kamenskoi.

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to yield them to France as to Austria, and made resistance. There is an opinion entertained by some persons of good information, that a concert will be formed between France, Austria, and Russia, under which the Ottoman Empire will entirely sink. I do not think this probable, from the present symptoms in the political relations of these powers. There is yet a manifest coolness between the cabinets of St. Petersburg and Vienna; nor can it be doubted, however it may be denied, that in the present honeymoon of the new alliance between France and Austria, the more ancient but less intimate ties between France and Russia have experienced some relaxation.

By the last accounts from Copenhagen, I learn, that two American vessels, after having passed at Elsineur, and paid the Sound duties have been taken by Danish privateers and carried into Copenhagen. An order from that government has also been issued prohibiting the publication of the Sound lists, as has always been customary. The object of this last measure is not apparent. Several English ships of war have already passed through the Belt into the Baltic, where it is reported that a fleet of twenty sail of the line are to be sent. From this force a new expedition against the island of Zealand has been inferred as probable. If really intended, you will hear of it more directly from another quarter.

I remain, etc.

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TO ABIGAIL ADAMS

St. Petersburg, 6 June, 1810.

My dear Mother:

Captain Thomas of the *Express*, a vessel belonging to Mr. W. R. Gray, arrived here a few days ago, and brought me your kind favor of 31 December and 12 January. It was the second letter from you that I have had the pleasure of receiving, and after several months of expectation gave me new reason for rejoicing at the final release of these regions from the chains of winter.

The ship *Horace*, Captain Bickford, to which and to whom we are indebted for bringing us safely hither, after having been locked up nearly eight months by the ice, is now about to sail upon her return home. Her voyage hitherto has been upon the whole highly prosperous, though, as you have learnt from my letters to my brother, not without imminent perils, which with the blessing of providence we escaped, and though during the winter the captain has had the misfortune to lose three of his men by the smallpox. How she will accomplish her return voyage is yet in the bosom of futurity. She has all my good wishes and prayers for her safety. . . .

The failure of Mr. Jackson's mission was naturally to be expected, as well from the transactions between the American and British governments which had immediately preceded it, as from the known character of the negotiator. What have been the proceedings of the British cabinet towards America since they have been informed of that event, I do not know. The king's speech to Parliament professed a pacific disposition towards the United States, but there has been no relaxation of the British maritime system, as it was modified by the Orders in Council of April, 1809, and it is said that Mr. Jackson has not been recalled.

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The Marquis Wellesley, who is now the English Minister of Foreign Affairs, appears in his political system not to differ much from Mr. Canning. Neither of them has discovered the disposition upon which alone any peace is to be expected in Europe, or upon the ocean. France, on the other hand, and all the states directly under her influence and control, have been heaping the measure of outrage and injury to our commerce. They have not only condemned and confiscated our vessels and their cargoes in France, in Spain, and in Naples, but they have formally stipulated by treaty, that the American property imported into Holland since the first of January, 1809, shall be placed at the disposition of the French Emperor, according to the relations between France and the United States. France, too, has adopted the English practice of giving licenses, and levying upon them an enormous tax. In this substitute for neutral trade both these nations, or rather their governments, find their account so well, that I see no prospect of any tolerated neutrality during the remainder of the present war between France and England.

I have been much amused by your extract from the learned labors of the Analyser,[1] with his palpitations of heart at the thoughts of the Russian mission. This same *suspicion*, which Mr. Pickering's political ethics have turned from a vice into a virtue, plays its votaries as wild tricks as any other heathen idol ever practised. It is not only perpetually leading them to false conclusions, but it mocks them with an image of their own profound sagacity. They hug themselves for their discoveries, and attribute to the superior keenness of

[1] In No. VI of a series of articles on the "Diplomatic Policy of Mr. Madison unveiled," printed in the *Columbian Centinel*, December 23, 1809, the writer attacked the appointments of both Short and Adams to the Russian mission, as proof of the insincerity of the cabinet for peace, and as unnecessary.

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their own eyes the privilege of seeing what nobody else can perceive, when the real reason is, because there is nothing to be seen.

By the English newspapers, which from time to time I have the opportunity of seeing here, we have intelligence from America much later than we can receive it directly. They are particularly assiduous in disseminating everything which had a tendency to injure and discredit us in the opinions of the European nations. The resolutions of the Massachusetts legislature on the subject of the negotiation of Jackson have had their effect in an eminent degree. The conclusion drawn from them on this continent is, that the Americans are on the point of a civil war between the partisans of France and of England. In France the Emperor Napoleon, who upon newspaper publications and pamphlet satire upon himself is irritable to an extreme, has been exasperated against America, more by the ribaldry upon himself with which our presses and legislative debates have teemed, than by any measures of our government. In England, where the contempt which almost all parties affect for us is merely a disguise for envy, malevolence, and fear, they recur to those Massachusetts and New York resolutions, as proofs of our national impotence, and at the same time to our government's partiality to France and against them. Both parties are encouraged and confirmed in the policy of oppressing a nation so debilitated by internal dissensions, and the result is, that we are made the common football of Europe. The English and French newspapers have both announced that the standard of *war* against the government of the Union is ready to be raised in Massachusetts, but I think I know too much of the character and disposition of my countrymen for this to be possible. It is however certain, that as regards *our* relations with the rest of mankind the Massachusetts legislature has taken the

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lead of a system diametrically opposite to that of the national government. I am also well aware that the radical absurdity of the Massachusetts system is yet a problem for the solution of time. That it will eventually be demonstrated to the conviction of all mankind, every day's experience more and more strongly convinces me. Austria, Prussia, and Sweden, and even Russia, have learnt this lesson at heavier cost than we have. My only concern is, lest in the instability of our humors, we should before we finish risk our fortunes upon the same stake which they have lost.

. . . . . .

TO THE SECRETARY OF STATE

No. 17. [ROBERT SMITH]

ST. PETERSBURG, 25 June, 1810.

SIR:

I have the honor to enclose a copy in the French language of a manifesto just published here, proposing a public loan to be received in the paper money of the country, and the sale of certain public domains for the redemption of this paper. It will serve at once to show the disordered state of the finances of the Empire, and the laudable efforts of the present government to retrieve them.

The assignation bank bills are the only currency in common circulation. They are the representatives and substitute of the copper coin. During the reign of the Empress Catherine this bank was established, and bills of 100, of 50, 25, 10 and 5 roubles were issued, upon their amount in copper, deposited, or supposed to be deposited, at the bank. As the government contracted no obligation to redeem the bills

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upon presentation in gold or silver, the bulk and weight of the metal represented by the paper operated as a security against the pressure of extraordinary calls, and as the necessities of the government arose the bills continued to multiply until all the copper mines of the Empire would not have sufficed for their redemption. The natural effect of this multiplication was depreciation in the value of the bills, and when the sums issued had amounted to one hundred millions of roubles, the Empress Catherine published a declaration that she would not exceed that emission. Her successor, however, not conceiving himself bound by that stipulation resumed the practice of supplying his wants by the manufacture of assignation paper, which has continued to swell in quantity and to shrink in value, until the amount in circulation is supposed to exceed six hundred millions of roubles, and until the paper rouble passes current in all payments for a little more than one third of a rouble in silver.

The promise, that no more paper of this bank should henceforth be issued, was renewed in a prior manifesto published in February last, soon after the new organization of the Imperial Council. At present, this loan upon terms extremely favorable to the lenders and proportionably burdensome to the government is proposed for the purpose of withdrawing from circulation some part of that excess, which has occasioned the depreciated state of the bills. The proposition to receive two paper roubles for one in silver, to pay the interest annually of six per cent upon that rouble in silver, and at the expiration of seven years, to repay the capital itself also in silver, is equivalent at the present rate of the money to a yearly interest of nine per cent, and an addition of fifty per cent to the capital at the close of the term. In the sale of the lands there are held out further advantages to the lenders, of no inconsiderable importance. The loan is to be

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opened on the 15th of July, but neither this manifesto, nor the recent accounts of the splendid victories obtained over the Turks have yet raised the value of paper assignations in the market. . . .

The British fleet under the command of Sir James Saumarez [1] has entered the Baltic, and to the number of twenty ships of the line, and a proportionable number of frigates and smaller armed vessels, is stationed at the various passages of entrance to that sea. The admiral himself is before Gothenburg, and has made a declaration, that no vessel excepting such as are provided with British licenses will be permitted by him to pass either to or from any port from which the British flag is excluded. From this order he has also declared that American vessels are not excepted, and I am informed that he has turned back an American vessel coming from Kiel in Holstein, bound to St. Petersburg, and endorsed her papers not to proceed to any port from which the British flag is excluded. It was on the 24th of May that he made the declaration that American vessels were included in his orders, which it appears were not known among the merchants of London on the 22nd of the same month.

They are said to have been issued since the appointment of Mr. Yorke [2] as first Lord of the Admiralty. The late chargé des affaires of Sweden in London, Mr. Brinckmann [3] has already returned to his own country, and Mr. Foster, who was in the same capacity at Stockholm, has been ordered to leave that kingdom, an order with which he declined to comply, until it was communicated to him in writing. There is no doubt but that the Swedish Government has submitted to take this step with great reluctance; but it was the price of

[1] (1757–1836).

[2] Sir Joseph Sydney Yorke (1768–1831).

[3] Charles-Gustave Brinckmann (1764–1848).

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their peace with Russia, and more especially with France. The consequences to the Swedish commerce will be serious. Admiral Saumarez has already taken a great number of Swedish vessels, and as the rupture is avowedly made by Sweden herself, it is hardly to be expected that any of the captured vessels will escape confiscation.

I have received lately from Mr. George Joy two English copies of the new Danish privateering law; one of which I enclose to you with this letter. Under this law, nearly one hundred vessels had before the first of the present month been taken into Copenhagen; about twenty of which are Americans, some of them directly from the United States, captured after entering at Elsineur, and paying the duties on the passage of the Sound. I have mentioned these circumstances to the Baron de Blome, the Danish minister at this court, and suggested to him the hardship of this course of proceeding. He has repeatedly intimated to me a wish that there were some authorised officer of the United States at Copenhagen, to make suitable representations to the government itself. Those of a consul, he observed, could not carry with them the weight which would have much influence; but it is extremely doubtful whether any representations would overpower the prevalence of the privateering influence, stimulated by that of France. The resignation of Count Bernstorff, the principal cabinet minister, and head of the Department of Foreign Affairs, is viewed as indicating the prospect of increasing rigor rather than of relaxation on the part of that government. The Baron de Rosenkranz who is appointed in his stead is at Paris on a special mission, and Count Bernstorff retains the management of the foreign department, until his return. . . .

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TO THOMAS BOYLSTON ADAMS

ST. PETERSBURG, 30 June, 1810.

. . . . . .

We are expecting to hear from day to day of a great battle in Spain, and the continuance of the war or the restoration of peace is supposed to depend upon its event. Spain and Portugal are the only remaining parts of the European continent which furnish a pretext for continuing the war on the part of England, but there is so much internal fermentation in that country just now, that her government may very possibly find it necessary to maintain at all hazards a foreign war, to procure peace within her own islands. With regard to commerce, the two parties have already come to an arrangement *de facto*, which suits the purpose of both. All neutrality and neutral trade are by common consent of the belligerents annihilated. The British at settled prices grant licenses to any flag, French as well as any other, which are respected by her navy. The Emperor Napoleon gives licenses to any flag, English as well as any other, which are respected by all his subordinate authorities. All other commerce is proscribed, and under these double licenses the commerce between the British islands and the continent of Europe is now carried on, to an extent beyond that of the most active and prosperous times of peace. France and England both raise a large revenue from their *licenses*, which ultimates as a tax upon the consumption of the articles circulating by this new method of trade. The people of Europe pay this tax with a good grace, and according to all appearances our countrymen are prepared to pay it in like manner.

I know not any news that it would be possible for me to give you from this place, unless it should be on the war be-

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tween Russia and the Turks. This is an object extremely interesting here. But I do not suppose you would take much concern in a detail of the progress of the Russian arms. I was summoned last week to a Te Deum at the Imperial Chapel on account of the glorious victories of General Kamensky and the defeat of the Séraskier Peglivan. The said Séraskier, it seems, was taken, together with the fortress of Bazardgik and about 1,600 men, a remnant of 10,000, *by storm;* the 8,000 and odd hundred other Turks of the garrison were cut to pieces in the process of the capture. Te Deum laudamus — for the loss of Russians in this achievement did not exceed in killed and wounded 700 men. Silistria surrendered without waiting to be stormed. If you never heard the names of these places before, look for them upon a map. Eight thousand and some hundred of valiant Turks were butchered in the first of them, for which but eight days since I heard Christian priests and prince give solemn thanks to God. Ever affectionately yours.

TO ABIGAIL ADAMS

St. Petersburg, 25 July, 1810.

. . . . . .

From the returns of the votes at the April election which we have seen, I consider it as beyond question that Mr. Gerry and Mr. Gray were chosen Governor and Lieutenant Governor of the State. But on the comparison of the votes from the several towns the prospect was, that a majority of both branches of the legislature still adheres to the politics of the two last years, in which case the Council must be of the same complexion, and the State authorities will not harmonize very cordially together. The changes, however,

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not only in Massachusetts, but in New Hampshire, Vermont, and Rhode Island, have been so unpropitious to the Anglo-federalists, that the prospect of a separate empire will not make much progress during the present year, and I cherish the hope that they will be so steadily discountenanced by the suffrages of the people in New England, that the father of them all will renounce them in despair, and turn the policy of the eastern sages, if not to something useful and honorable, at least to something less pestilential to their country and their posterity. To anything *more* pernicious, in my sincere opinion, the Prince of Darkness could not spur the most devoted of his instruments upon earth.

The panic terrors of a war between the United States and England, which the majority of the legislature of Massachusetts last winter alleged in justification of their *patriotic* resolutions in favor of Mr. Jackson, and against the government of the United States, are I hope before this tranquilized. I see, however, by a circular from the federal committee of Boston senators and representatives, that their palpitations of heart were still indicative of a great alarm, even after they had reason to apprehend that their governor would be *supplanted* in his office, and after their own news from England had informed them, that his Britannic majesty's ministers would not go to war to avenge Mr. Jackson, highly as they approved his spirited moderation, and deeply as they resented the unprovoked insult upon him.

I have too much respect for the characters of all those gentlemen who signed the federal circular, not to believe that their fears were real and sincere. But knowing and esteeming as I do the judgment and understanding of them all, I can with difficulty conceive the obfuscation of intellect which could permit them, late in April, 1810, to be in dread of a war with England, or an alliance with France. There is

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something in the spirit of party which stupefies even those whom it cannot deprave, and which blinds the eyes, when it cannot succeed to vitiate the heart.

The most remarkable political transactions of the present time are in Sweden. The late king [1] of that country labored under the same prejudices, as of late years have taken possession of almost all the New England federalists. He not only hated Napoleon as he deserves, but he relied upon the friendship and protection of England. He lost Pomerania; he lost Finland, and he last of all lost his crown. The Swedish Diet not only discarded him, but his children, excluded all his dependents with him from the succession, and sent to Norway for a prince of Holstein-Augustenburg [2] to be the successor to the Swedish throne. This prince accepted the offer, and early in the spring of the present year he came to Stockholm, and was at the same time adopted by the present king [3] as his son, and proclaimed Crown Prince or heir apparent of Sweden. On the 29th of May, while reviewing a regiment of cavalry near Helsingborg, he was seized with an apoplexy, fell instantly senseless from his horse, and expired within half an hour after. During the short time that he had been at Stockholm, the simplicity of his manners and the affability of his disposition had rendered him very popular among the plebeian class, but had at the same time given offense and disgust to many of the nobility. These two orders of society are upon very discordant terms with each other in that kingdom, and the odium of the populace is the most exasperated against the nobles of the higher rank. The suspicion that the Crown Prince had been poisoned by a conspiracy of certain persons of the nobility was excited among

[1] Gustavus IV (1778–1837), dethroned in 1809.

[2] Christian Augustus.

[3] Charles XIII (1748–1818), duke of Södermanland.

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the people of Stockholm, and became particularly concentrated upon Count Axel Fersen,[1] the Grand Marshal of the Kingdom, his sister Countess Piper, a Count Ugglas, and the Russian informal envoy, General von Suchtelen. On the day when the body of the Prince was carried into Stockholm, Count Fersen, going at the head of the procession which was to escort it, was attacked by a mob in the streets, sought refuge in a house, from which he was compelled to be brought out, and murdered with circumstances as horrible as any of those which marked the worst period of the French Revolution. The other suspected persons were preserved from the fury of the mob only because they could not get them in their power, and finally by the interposition of a military force, which was obliged to fire upon the people and killed a number of them. There had been a report of three physicians, who opened and examined the Prince's body, declaring in the most formal manner, that no symptom of any other than natural causes of his death appeared, nor is it yet explained, why the suspicions of the people of Stockholm were settled upon five or six persons, or how they became so strong as to burst out into those furious excesses. Commissioners are appointed to inquire and trace the suspicions of poison and their foundation, but here the opinion generally entertained is, that they are altogether groundless.

All our intercourse with England is again open, and will be in all probability very great again. You will hear the accounts of interesting events on the continent so much sooner through England than we can send them from this bottom of the bag, that I shall have scarcely any other news to tell you. There has been, you know, for about four years, a personage called the king of Holland, a brother of the Emperor Napoleon, who sent him to rule over that country,

[1] Hans Axel, count von Fersen (1755–1810).

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as he now suggests for the benefit of France. King Louis, however, whether from natural disposition or from the contagion of Dutch associates, appears to have imbibed an opinion, that a king of Holland ought to have some regard for the interests of Holland. This has brought him into disgrace with Napoleon, who first made him disgrace himself by a treaty, *ceding* to France a quarter part or more of the Dutch territories, and surrendering to French disposal all the private American property within his reach, and then sent a corps of French troops to take care of his *good city* of Amsterdam. Louis became sick of playing this part of a phantom king any longer, and has *abdicated* his crown,[1] and left it to his infant son,[2] under the *regency* of its mother, to perform the pageants and be used as the instruments of Napoleon.

This illustrious character narrowly escaped a burnishing about three weeks since, at a splendid entertainment given by Prince Schwarzenberg,[3] the Austrian Ambassador at his court on the occasion of his marriage with the Archduchess Maria Louisa. In the midst of the ball the house took fire, and a number of the guests perished in the flames. The Emperor himself was present, but escaped unhurt. . . . With my best remembrance, etc.

[1] July 1.

[2] Louis Napoleon, afterwards Napoleon III (1808–1873). His mother was Hortense, daughter of the Empress Josephine, by her first husband Beauharnais.

[3] Karl Philipp Schwarzenberg (1771–1820).

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TO THE SECRETARY OF STATE

No. 19. [Robert Smith]

St. Petersburg, 3 August, 1810.

Sir:

When I wrote you three days since that no instance had occurred of a vessel having arrived in the Russian ports, with a forgery from the London market in the semblance of an American register, during the present season, I was mistaken. One case of that nature had occurred a few days before, of which I was not then informed; and our consul general, Mr. Harris, yesterday informed me of a note which he had just received from Count Romanzoff, enclosing a second. The first was a vessel called the *Alpheus*, Captain William H. Crosdale, (who I am sorry to say is an American,) which arrived at Cronstadt the 5/17 of July; and the second is the *Culloden*, Captain Charles Woodward, whose register purports to have been issued at Charleston, S. Carolina, in February last. This vessel entered, not at Cronstadt, but at some one of the other Russian ports. I have only seen this last paper, which appears to me to have been struck from the same plate which furnished the registers of the *Weltha*, *Ann*, and the *Malvina*. Mr. Harris however thinks it a different and more improved plate.

The day before yesterday a courier arrived here, with an account of the death of the Queen of Prussia,[1] who had been upon a visit to her father at Strelitz; and died there, or on the way as she was returning to Berlin. A rumor is circulated at the same time, which I have not yet had the op-

[1] Auguste Wilhelmine Amalie Luise (1776–1810), daughter of Prince Charles of Mecklenburg-Strelitz.

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portunity to authenticate, that the French, Austrian, and Westphalian ministers, have suddenly and at the same period left Berlin; though I have heard no cause for their departure assigned. I am afraid there is no reason to doubt the further report, that an ordinance has issued from the Prussian government, interdicting the admission of all vessels under the American flag, into any of the Prussian ports; the reason alleged for which is the same as that assigned by the Danish government for excluding our vessels from the ports of Tönning and Husum — the abuse of our flag in facilitating the prohibited English trade.

These events excite an unusual degree of attention here, as happening precisely at the period of the final reunion of all Holland with the French empire. On the 9th of July the Duke de Cadore, made a report to the Emperor Napoleon, laying before him the act of abdication of the king of Holland, and recommending the annexation of Holland to France. He says that the king's act ought not to have appeared without having been previously concerted with the Emperor; that it could be of no validity, without his confirmation, and that it ought not to be confirmed; *that the reunion of Belgium with France*, had annihilated the independence of Holland; that it is sinking under the load of its debts; that for the benefit, nay for the salvation of Holland, its reunion with the French empire is absolutely necessary; that besides it is necessary to make the boundaries of France secure; to complete the commercial and maritime system of his Imperial Majesty, and above all to strike the severest possible blow upon England. And that as to the young prince, so dear to his Imperial Majesty, (the king of Holland's eldest son) the Grand Duchy of Berg was quite enough for him.

On the same day, 9th of July, the Emperor, issued from

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his palace at Rambouillet a decree, by virtue of which Holland is reunited to the French Empire; [1] Amsterdam is declared the third city of the Empire (Rome was lately declared the second); Holland is to have six senators, six deputies in the Council of State, twenty-five deputies in the Legislative Assembly, and two judges in the Court of Cassation, or Supreme Court of Appeals. The Duke of Piacenza (Le Brun) [2] is appointed the Emperor's Lieutenant-General at Amsterdam for the administration of affairs until 28 January, 1811, when the whole system of French administration is to commence. The public debt of Holland and its arrears of interest for the years 1808 and 1809 are reduced to one-third, and from the commencement of the next year the taxes are also to be reduced to the same rate with those of France. The colonial goods now in Holland, are to be left to the proprietors upon the payment of fifty per cent upon their value. The Legislative Assembly in Holland, is to appoint a committee of fifteen members to form a council at Paris, for making all the necessary arrangements for the definitive organization of the country under its new laws, and for adapting it to the local circumstances and general interests of the nation.

The only part of this decree upon which I shall at present make any observation is that which relates to colonial goods. These are the American property, which by the treaty of last February was to be placed at the disposal of France, according to the state of her relations with the United States. It is now ransomed for fifty per cent upon the value; and furnishes a new comment upon what is still called the continental system. This ransom, of fifty per cent more or less, is the result of all the restrictions and prohibitions with which

[1] *Annual Register*, 1810, 502.

[2] Charles-François Lebrun (1739–1824).

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for the last three years France has tormented the whole European continent. If English commerce was the object which France really intended to suppress, an extortion of fifty per cent would not be laid upon American property. If the property released were English and not American, even the fifty per cent would not be restored to its owners. The new exclusion of American vessels from the Prussian ports is probably a benefit to the English trade. There have been French inspectors and custom house officers in these ports during the whole of this season. I have advices from sources deserving credit, that by the permission or connivance of these French officers, English vessels and cargoes have been freely admitted, under any of their disguises, upon payment of fifteen per cent on the value. Vessels coming under the American flag could, of course, not be laid under this contribution. The effect of this distinction was that the Americans came more advantageously to the market, and when the Emperor Napoleon heard that English goods were introduced into the Prussian ports, his agents report to him that they came under the American flag. So the American flag is excluded from the Prussian ports, and for the rest of the season, the English ships will come as Pappenburgers, Mecklenburgers, Danes, Swedes, Prussians, or under any flag bought on the continent, or prepared in London, pay their hush money, which will perhaps now be raised higher than fifteen per cent, and have the market to themselves. The Emperor of France will learn no doubt that notwithstanding the exclusion of American vessels, English goods continue to obtain access in the Prussian ports. Then, perhaps, exclusion may be followed by sequester, and when that also is found to fail, the king of Prussia may be further called to account, and after all, the American property left to its owners upon payment of fifty per cent. On the other

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hand the English government taxes the same vessels and cargoes, though not yet quite so heavily for licenses; and such is the demand for colonial articles, as they are called, and English manufactures on the European continent, that this enormous double taxation, though it has raised the prices of all the articles, has had but little effect in diminishing the consumption of them, and upon the commerce of England has not operated any injury at all.

The sentence of confiscation has at length been sanctioned by the Emperor Alexander, upon the cargoes of the vessels which had entered as coming from the island of Teneriffe. The vessels, however, are to be liberated, and those which came in ballast are already discharged. There is an opinion, of the accuracy of which I am not certain, that a great proportion of these cargoes has disappeared, and that the whole transaction will ultimately prove only another tax upon the owners of the goods. Now in this state of things the American trade here still enjoys the advantage which it has just lost in the Prussian ports. Not laying under so heavy contributions, it comes under more favorable circumstances to the competition of the market. But the inevitable consequence will be, that the English goods introduced here will be represented as having been brought under the American flag — a pretence which not only the French agents, but the *real traffickers* of the English commerce, will countenance, to get our countrymen excluded from the market. France has not yet ventured to speak to Russia in the style which she uses towards weaker powers; nor to prescribe to her any course of measures. She has no custom house officers in Russian ports, and neither her Ambassador nor her consuls have directly demanded any act of exclusion to Americans. But if the Americans are to answer for the introduction of British merchandize contrary to the prohibitions, such a

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demand will not be delayed much longer. Of the indirect efforts to obtain exclusions of our trade which have been made, I have correct and precise information, which I shall communicate in a future letter, observing that as I have obtained it from very confidential sources, and as much of it is secret history, it is important that it should remain such.

I am, with the highest respect, etc.

TO WILLIAM GRAY

St. Petersburg, 3 August, 1810.

Dear Sir:

I received a few days since your favor of 21 April, enclosing the credit upon your correspondents here, at Hamburg, Copenhagen and London, for which I give you thanks. On my first arrival here I had apprehended, that I should be under the absolute necessity of incurring immediate expenses, for which no provision is made by the government of the United States, and for which I could draw only upon the resources of my own property. As in this country, more than in any other of Europe, a man's estimation in the public opinion is solely proportioned to the style of expense in which he lives, and as it is considered as a sort of law of nations here, that a public minister must live in splendor and magnificence, I saw myself placed between the alternative of squandering in a residence here of two or three years the means of subsistence to my family and of education to my children, or of incurring a reputation for parsimony, not to call it by a harsher name, which would expose me personally to great obloquy, and, what was infinitely more important in my view, which might have an injurious effect upon the character and interests of my country. I had, however,

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settled for myself early in life a principle which I had every reason to consider as a just one, from which I had never departed since it had been possible for me to put it in practice, and to which I had already made too many sacrifices of vanity and ostentation to give it up now without reluctance. It was to keep my domestic expenses *within* the bounds of my income.[1] I soon found that I had no other choice left, but to renounce this principle forever, and beggar my family by a few months of extravagance, or to brave the opinions of the world around me, and make not their esteem but my own resources the measure of my expense. I had no hesitation in making my choice, to which as yet I have adhered. I have begun by putting myself upon an establishment far below that of all the other foreign ministers here; a measure for which I have no other justification, than that their salaries are at least the double of mine, and that on the establishment upon which I have placed myself, if I should stay here two years or return home within that period, I shall have expended every cent of my allowance from the United States, and about all, if not the whole, of my income besides. Of the effect of this resolution upon my own reputation I cannot be ignorant, but I am happy to possess, in the very strongly marked attentions of the Emperor to myself and my family, as well as in the proceedings and explicit assurances of his ministers, an unequivocal proof that it has not in any manner impaired the interest or credit of our country at this court.

. . . . . .

[1] Adams, *Memoirs*, June 25, 1810.

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TO THE SECRETARY OF STATE

No. 21. [ROBERT SMITH]

ST. PETERSBURG, 16 August, 1810.

SIR:

The following is a translation of the Prussian ordinance, for breaking off all commercial intercourse with the United States of America.

His Royal Majesty of Prussia, our most gracious Lord, finds himself induced, for the more effectual preservation of the *continental system* heretofore adopted in concert with the Imperial Court of France, and hitherto rigorously observed in all the commercial transactions of his subjects; and for the more perfect security in guarding against all and every abuse, which may have been practiced in the execution of the former ordinances, hereby to close all his ports, against American vessels altogether, and without exception. In consequence whereof, from the day of the present publication of this ordinance, no vessel coming from an American port, or belonging to an American citizen or subject, shall be admitted and received into the ports of this country; but every vessel of that nation is immediately and without delay on appearance before a Prussian harbor or road to be turned away. The present ordinance is hereby publicly made known, to be respected, and put into the most rigorous execution; and every person contravening the same, besides the confiscation of the vessel and cargo, shall be subject to special prosecution and punishment. — Berlin, 19 July, 1810.

By his Royal Majesty's most gracious special order. (Signed.)
HARDENBERG GOLTZ DOHNA KIRCHEISER.

It is not improbable that in the ports of Prussia, where there is I believe no American public consul or commercial agent, to detect the forgeries of American papers, from the London market, there have been numerous instances of cases

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similar to those which have been detected here and elsewhere. The necessities of commerce upon the continent are so much stronger than the power of France, that every measure of force adopted to obstruct it is immediately met by a measure of fraud to counterbalance its effects. All the merchants in every port of the continent in this curious contest are on the English side — those of France more, and more effectually, than all the rest. As a proof of which may be noticed not only the numerous licenses signed by the Emperor Napoleon himself under which a direct trade between France and England is carried on, but the partial opening of the French ports to American vessels, precisely at the moment when the king of Prussia has found himself induced to shut his. The rigor of the public restrictions would leave scarcely any trade at all were they susceptible of execution; but their final result is rather to raise the rates of insurance and the prices of the articles, than to injure the commerce or revenues of England. The merchants in England and upon the continent, united by a common interest, and stimulated by the high prices at which the very prohibitions and ransoms keep the forbidden articles, have as little scruple as to the means by which they shall evade the regulations of the governments as the governments have in the choice of their restrictive measures. But it is obvious that a trade subject to such heavy risques and contributions could not be continued, if vessels under the American flag were exempted from them. In such a case the Americans must come to the market under such advantages that the English traders could stand no competition with them. When, therefore, it is discovered that the British trade cannot be raised to the level of advantage by means of forgery, it becomes necessary to sink the American trade to the level of extortions; and in this respect as in the rest, the interest of the conti-

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nental merchants, being the same with that of the English, they have no motive to favor the Americans, and certainly do not favor them. There is no doubt but that great numbers of vessels from England with English cargoes have been this summer received in the Prussian ports. Some of them, but probably not many, have gone with forged papers, and assumed the American flag. Many real Americans coming directly from the United States have also entered there. The French government learn that English goods are introduced into Prussia. The custom house officers, who have not received, and could not exact from Americans the price of connivance; the merchants really connected with the British speculations, and all the political secret partisans of England, that is to say, in the Prussian dominions almost everybody, all with one common voice charge the whole to the account of the American flag, and the king of Prussia has it signified to him that the American flag must be totally excluded from his ports.

In Stralsund all the property imported in American vessels was some time since sequestered; in Dantzick it appears the same measures have been taken. The exclusion of Americans has not yet been formally demanded here, but the system must soon bring forward such a demand. In my interview with Count Romanzoff, on the 8th inst. he assured me of the desire of this government to give every possible facility to the direct commerce, between the United States and this country, *but I have reason to believe that disposition would not resist a positive demand of France, which I expect every day.*[1]

The Swedish Assembly of the States met at Örebro, on the 23rd of last month, but no account of their proceedings has yet arrived here. The king of Denmark [2] is understood to

[1] Cypher.

[2] Frederick VI.

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have written a long letter to the present king of Sweden, stating to him the urgent necessity of uniting again the two kingdoms under one sovereign, to secure the existence of either, and requesting him to propose him the said king of Denmark as his successor to the crown of Sweden. It is also known that the king of Denmark has been encouraged to take this step by the assurance of all the influence of France in his favor. The opinion is that it was even first suggested to him by France, and the belief is that it will eventually be successful. In what point of view it is contemplated here, I have not understood. I know that the Emperor Alexander, on being informed of the decease of the late Crown Prince, and the subsequent convocation of the States for settling again the succession to the Crown, instructed his minister in Sweden not to interfere in the slightest degree, upon this occasion; but as the Prince of Holstein Oldenburg,[1] who married the Grand Duchess Catherine, sister of the Emperor of Russia, has been considered as one of the principal persons having pretensions to this new succession, as that settlement is apparently more propitious to the general interests of Russia than any other, and as the revival of the ancient union of the three northern crowns has the tendency to give Russia one neighbor much more powerful than they can be in the state of separation, the political speculators conclude that Russia must be displeased with this arrangement in favor of the king of Denmark. . . .

The French newspapers assert as from authority that all certificates of origin, purporting to be signed by French consuls in the United States and produced in the north of Europe, must be false, for that the French consuls in the United States have long since ceased to deliver any such certificates. The French government must be singularly

[1] Prince George.

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misinformed, with regard to the acts of its own agents hitherto; but probably they have forbidden to issue any more such certificates in future. I have the honor, etc.

TO WILLIAM GRAY

ST. PETERSBURG, 19 August, 1810.

MY DEAR SIR:

. . . . . .

About three weeks ago the Emperor Alexander inspected his naval force, and held a review at Cronstadt. Two black men belonging to American vessels in that port attracted his notice on the parade, and he spoke to them. One of them afterwards came up to St. Petersburg, and obtained the Emperor's permission to enter his service as a domestic, provided he was under no engagements incompatible with it. The Minister of the Police, by his Majesty's orders, sent me a message to inquire, whether a release from the man's engagements on board the vessel could be obtained for a competent indemnity to the owners or master of the vessel, and whether I could procure the man's wife and children to be sent here as the man had solicited, and for the expenses of whose passage his Majesty would give orders that payment should be made.

The vessel to which the man had belonged was the *President Adams*, Captain Field of Providence. She had already sailed from Cronstadt without him, when I received the message. The man himself came to me, and I have promised to write and request that his wife and children may be sent here. As I presume you will have occasion to send some of your ships here the next spring, I do not know of any way in which the object can better be obtained than by requesting your attention to it. The man's name, he says, is *Claude Gabriel*.

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He is a native of Martinique, and has been about ten years in America. He lived three years with Mr. William Jones, Speaker of the House of Representatives in Rhode Island. His wife's name is *Prudence*. She lives by herself at Providence. He has one child, a daughter named *Annette*, about three years old, and he supposes another born since he came from Providence, last November. He came in the ship with Captain Field as steward. If you can inform Captain Field, or his owners at Providence, that the Emperor has given orders to indemnify them for any injury which the loss of the man from the ship may have occasioned, and will have the goodness to pay it, if they have any demand on that account, and inform me of the amount, his Majesty's intentions will be accomplished. The necessary expenses for the passage of the woman and children will also be immediately paid on their arrival here.[1]

. . . . . .

[1] "Just as I am writing I receive a visit from Nelson, the black man-servant whom I brought with me from America. He left us about four months ago, to enter the service of his Imperial majesty, who has about a dozen menial attendants of that color, and who when vacancies happen in the number by death (there are, as you will readily suppose, none by resignation) finds it not altogether easy to supply the places. I had not been here very long before Nelson found out that it would be possible for him to obtain that situation, if he could have my consent; for his majesty's Grand Marshal refused to take him upon any other terms, and obligingly assured me, that he should be taken only in case it was perfectly agreeable to me, and not at all, if I chose to keep him. However, as it was making him a fortune for his life, and as I had neither the inclination, nor in my own mind the right, to keep him against his own will, as soon as I could conveniently provide myself with a man in his stead, I gave him his discharge, and a recommendation to the Grand Marshal, who immediately engaged him as an attendant at the Imperial table. He comes now and then to see us in his splendid Moorish dress, and is highly satisfied with his new service, of which he finds nothing irksome, but the various masters of genteel accomplishments which have been given him to complete his education." *To Abigail Adams*, 5/17, December, 1810. Ms.

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TO JOSEPH HALL

ST. PETERSBURG, 15/27 August, 1810.

MY DEAR SIR:

. . . . . .

You are severe upon the political foresight and comprehensive views of our federal friends. I shall not undertake to be their champion. What I have staked upon a *principle* in opposition to them is, perhaps, better known to you than to any man living. The trial between their political principles and *mine*, which as you know the outrage upon the *Chesapeake* frigate first brought to a direct issue, I consider as still *sub judice*. If the correctness of political views were tested only by the event, there have been circumstances and moments which looked most inauspicious to my cause. But as, when they occurred, I was not dejected by them, so now, that the people of New England and New York have shown their deliberate sense of the matter, I hope I am not inclined to exult even internally too much at this issue, especially when the pleasure of finding myself justified by the event must be mingled with the pain of seeing, that it must be at the expense of mortification and disappointment to so many of my personal friends. The moral poet tells us that self-love and social are the same. This sentiment may at least with equal justice be applied to the special interest of parties in our country, as to the egotism of individuals. The fanaticism (for that is the mildest term by which it can be designated), with which the New England federalists have linked themselves and their cause with Old England and her fortunes, is and must be as pernicious to them as a *party*, as it would prove to their country, could they draw her into their political system founded on the same prej-

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udices. The philological speeches, the New York and Massachusetts resolutions were, indeed, but parts of one stupendous whole. They were in perfect consistency with the *patriotic proceedings* of the two preceding years, but they who got them up should have seen that they were no longer suited to the temper of the public pulse. I find by the newspapers, which I have received down to the 13th of June, that not only the rank and file federalists, but even grave legislators who wrote caucussing circulars, can think of no other [cause] for the disasters of their electioneering ticket, than some silly tale about the king of England's having disapproved the conduct of Mr. Jackson, which they allege to have been circulated at the critical moment from Washington. Maryland and Vermont the last autumn, and New Hampshire which had gone just before them, might have taught them that there was some other cause in operation besides *Mr. Pinkney's private letter*, to take votes from them, and give them to their adversaries. But even after their own April election, it seems, they saw not the least reason for a diminution of their confidence, that they would still have a majority in the House of Representatives after their own hearts. Their game is, however, not yet lost, for they have still a *tie* in the Senate of the State. I presume that even now, even when you may probably receive this letter, it will be impossible to foresee, what the result of the next annual election will be. It will, as it always does, depend in a great measure upon the events of the year. As the leading federalists, some of whom at one time last summer professed a disposition to support Mr. Madison's administration, have so decidedly made their election to be in opposition to it, I cannot flatter myself with any prospect that their views of public affairs will soon, if ever, coincide with mine more than for the last three years. I cannot, therefore, wish them success. But

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so long as they shall adhere to a system in my estimation so incompatible with the interests, and so derogatory to the honor of my country, as that which they have pursued since the base and unatoned attack upon the *Chesapeake*, I can only pray that their measures may be of a stamp with the Massachusetts and New York resolutions of last winter, in honor of the firebrand Jackson. If they will but move a few more impeachments, analyze a few more correspondences, unveil a little more of Mr. Madison's diplomatic policy, preach a few more thanksgiving, fast-day and election sermons, and compile a few more volumes of posthumous *works*, I do not despair of seeing the State of Connecticut and Delaware as much edified by their labors, as already have been the rest of New England and New York.

. . . . . .

TO THE SECRETARY OF STATE

No. 22. [Robert Smith]

St. Petersburg, 19/31 August, 1810.

Sir:

By Mr. W[illiam] B. Adams, who arrived about ten days since, at Archangel, I have had the honor of receiving two dispatches from you — the first dated 5 May, with a copy of your answer to a letter from Mr. Daschkoff, containing some proposals respecting the trade between the United States, and the Indians connected with the Russian establishments on the northwestern coast of America.[1] Your letter to me

[1] "You will herewith receive copies of a letter from Mr. Daschkoff and of my answer. They relate as you will perceive to a subject of a very delicate character. The Russian government, it would seem, considers the United States bound to restrain their citizens from trading in warlike articles with the Indians connected

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on this subject (which is a duplicate) mentions a copy of Mr. Daschkoff's letter to you, as well as of your answer to it, with the Russian establishments on the northwestern coast of America. This is manifestly an error. If the Indians be under the Russian jurisdiction, the United States are bound only to leave their citizens to the penalties operating within the territorial limits. If the Indians are to be considered as independent tribes inhabiting an independent territory, Russia cannot of right prohibit other nations from trading with them, unless it be in contraband of war during a state of war, in which case she may enforce the prohibition on the high seas. If the Indians should fall under the character of rebels or insurgents against Russian authority the same rule may be applicable. In this view of the subject, the United States being under no legal obligation to comply with the demand of Russia, they can no otherwise be brought under such obligation than by compact; and whatever disposition they may feel to seek for a foundation and of friendship, it would be difficult to attain the end in that mode, without maintaining a right which this nation has not yet asserted in opposition to the Spanish claim to the western coast of America south of that of Russia, and consequently without a contest unseasonable and premature, at least, with the Spaniards. The United States might indeed by a gratuitous regulation yield to the wishes of the Emperor on this subject, and certainly it would be very agreeable to them to give proofs on every occasion of their friendship for his Imperial Majesty. But such a measure is not within the authority of the executive, and could not well be formally proposed to the legislature without the usual basis of mutual stipulation.

"These remarks may assist you in placing the subject before the Russian government in a light best fitted to satisfy them. It may be added that as Russia has the means of enforcing its own rights against those who intrude on the coast possessed by her, or who are carrying implements of war to be used in hostility against her, it cannot be essential that any foreign power should coöperate with her for the purpose.

"In explaining the sentiments of the United States on this occasion, it will be advisable for you to bring into view the hopes of the United States that it will be found consistent with the liberal policy of the Emperor to favor a commerce of the Americans in innocent articles, both with the Russians and Indians in that quarter, and even their intercession in the trade between the Russian establishments and China.

"As it does not appear how far the Russians stretch their claim southwardly along the coast, it is material that some latitude should be fixed as the limit, and it is desirable, as the coast south of it will enter into the plan of Indian trade likely to be embraced by our citizens, that the limit should be as little advanced southwardly as may be. It appears from what passed between Spain and Great Britain in the affair of Nootka Sound in the year 1790, that the claim of the former extended

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as being enclosed; but the packet contained only the copy of your answer, and not that of Mr. Daschkoff's letter, which I presume is in the original despatch not yet received. Although from the papers which have thus come to hand I can collect generally the substance of the proposition, and your sentiments relating to it, yet while ignorant of the precise purport of Mr. Daschkoff's propositions, I shall be able to do nothing more than intimate to the Chancellor that you consider difficulties as standing in the way of this negotiation; and refer for further explanation to the time when I shall have received your despatch containing both the documents to which your letter refers me. . . .

The Prussian ordinance for the exclusion of American vessels from the ports of that kingdom has been followed by similar regulations of the Duke of Mecklenburg-Schwerin, and of the king of Denmark, extending to all the ports of Holstein the prohibition which had previously been limited to the ports of Husum and Tönning. The following is an exact translation of the Duke of Mecklenburg's ordinance:

Whereas it has been made manifest by manifold experience, that the North American flag has been abused by the English, to introduce prohibited wares, and to effect the secret evasion of the well known commercial regulations of the Emperor of France; and

to the 60th degree of latitude." *Secretary of State to John Quincy Adams*, May 5, 1810. Ms.

"In the course of a few days I purpose to ask a conference with the Chancellor, Count Romanzoff, on the subject referred to in Mr. Daschkoff's letter. The difficulty of fixing upon a boundary within which a prohibition of trade could be stipulated, I suppose will not easily be removed. I know not whether it had been contemplated when the proposition was first made, but the necessity of fixing upon a line is obvious. Mr. Harris has communicated to me copies of his correspondence with Count Romanzoff, and the memorials of the Russian American Company relative to the object. I find by them that the Russian claim was asserted to the mouth of Columbia River." *To the Secretary of State*, September 30, 1810. Ms.

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whereas for a long time past no colonial productions have been ship'd and exported from the real American ports, therefore the military officers, in our sea ports of Rostock and Wismar, are hereby expressly commanded, from this time forth not to admit any more North American vessels, with what papers, and under what pretext soever they may present themselves, but on the contrary to keep special and severe watch, that all such be immediately turned away and the military officers are hereby made responsible for the strict execution of this order.

FREDERICK FRANCIS.

Doberan, 29 July, 1810.

The Danish order, or as they call it there, chancery-patent, is not so ready at the assignment of a reason. It says:

His Royal Majesty has found himself occasioned, by the circumstances of the time to extend to all the ports of the Duchy of Holstein, the exclusion of North American vessels, already commanded at the Ports of Husum and Tönning, so that every North American vessel, which after publication of this sovereign ordinance shall come to any port of the Duchy of Holstein, shall without breaking bulk be turned away, in like manner, as on the 15th of June was ordained for the ports of Husum and of Tönning. This Sovereign Resolution is hereby made known to all whom it may concern, that they may conform themselves thereto accordingly. Royal Chancery of Sleswick-Holstein, 3 August, 1810.

(Signed) MORTING.

EGGERS	JENSEN	HAMMERICH
JANSSEN	ROTHA	SPIES.

Notwithstanding the apparent rigor of these orders, numbers of American vessels have been suffered to approximate the Prussian ports at least, sufficiently to discharge their cargoes, on a proper explanation of circumstances to the French consuls. I have no doubt but that they have obtained the same access in the ports of Mecklenburg and Holstein. You know the American property which had been

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seized in Holland has finally been ransomed at a duty of forty per cent. I have just now learnt that on the 7th of August the Berlin and Milan decrees were revoked,[1] and that from and after the 1st of November next, all the colonial articles are to be admitted into the ports of France upon the payment of duties so enormous that one would think they must be equivalent to prohibitions: American cotton, for instance, at nearly 60 cents a pound, sugar 30 and 40, coffee 40, cocoa 1 dollar, teas from 40 to 80 cents, and indigo 2 dollars. As the demand for some of these articles is such that they must eventually be purchased at any price, and as contraband will always triumph over such duties as these, I cannot imagine it is intended to keep them up at this standard. But after levying contributions of forty or fifty per cent upon the stock of the merchants on hand, to enable them to pay this tax without being ruined by its operation, these duties may now be fixed among other reasons to raise the prices of that stock on hand to a level adequate to the proportion of the property extracted from it. In short, sir, from the complexion of all the measures which I have recently witnessed emanating from France, the continental system, whatever may have been its original design, appears terminating in a mere tax levied upon commerce by France, equal or more than equal to that which Great Britain has levied by the superiority of her naval power. I have not officially this account of the revocation of the decrees but receive it both from Hamburg and Amsterdam in such a manner as leaves me no reason to doubt its authenticity. It seems probable that it has been a subject of negotiation between France and England. It is to be hoped it will be immediately followed by the revocation of the Orders in Council, and of the blockade from the Elbe to Brest.

[1] This was an error. See Henry Adams, *History*, V. 253.

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Mr. George Joy informs me that he has obtained from the Danish government the means of protecting in future from Danish capture all the American vessels which may arrive at Gothenburg. I have corresponded with this gentleman since his residence at Copenhagen, where he has certainly manifested much zeal and made great exertions in behalf of our unfortunate countrymen taken into the Danish ports. Though his success had not hitherto corresponded with his good intentions, he has at least been listened to as much as could be expected under all the circumstances of his situation. I believe that the want of a native American accredited agent of the government of the United States at Copenhagen has cost our country ten times more than the cost would have been of maintaining one there, even with the character of a public minister. The Danish minister here told me some time since, that he was persuaded much of what our commerce there suffered might be remedied by the representations of a person duly accredited, and in an official station *entitled to access* to the highest authorities of the country.

I cherish the hope that Mr. Joy's licenses will prove efficacious to protect our vessels in future. Several very recent and rich captures have however occurred. A convoy of fifty sail has been taken and carried into Christiansand, among which are at least eight Americans with very valuable cargoes, which sailed from Cronstadt for the United States in June. Some of them had despatches on board from me to your Department.

We had last week a Te Deum celebrated at court, for a new victory over the army of the Grand Vizir at Shumla. Another action at Rustchuk is said to have been less favorable to the Russian arms. The Prince of Ponte Corvo (General Bernadotte) has been elected Crown Prince of Sweden. I have the honor, etc.

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TO JOHN ADAMS

St. Petersburg, 2 September, 1810.

My dear Sir:

. . . . . .

You say that you live in no apprehension of a war, foreign or domestic, the most pleasing and most happy state of things that can be announced. But in that I perceive your opinion differs widely from that of the caucussing-circular-letter legislators, who a month after the date of your letter had such a fearful foresight of a war with England and a French alliance. The *federal party* and the *British faction* are certainly not in our country the same thing. But for the last three years the federal party, in New England especially, have suffered themselves to be made so egregiously the dupes and the tools of the British faction, that they are most naturally and most justly falling with them. If they would recover themselves in the sight of their country, they must tread back a great many of their steps.

You have the news from England, France, Spain, Portugal and Italy, almost as soon as we have it here. I therefore write you little of it. You will know that England continues to reject time after time the overtures of peace made by France, and that Napoleon treats her as the Sibyl did Tarquin for the price of her books. Last winter he offered to treat upon the basis of the *uti possidetis*. England would not hear of it; since which he has definitely made Hanover part of the kingdom of Westphalia. At the time of the marriage Count Metternich, the Austrian Prime Minister, went to Paris, and sent new protestations to England, which have also terminated in nothing, and Napoleon has annexed all Holland to the French empire. He has now made a French

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general (Bernadotte), Crown Prince of Sweden. All this time England is haggling about Spain and Portugal. In those countries there seems to be a *vis inertiae* too powerful for either of the parties. They can neither be conquered by the French, nor defended by the English. Perhaps after all the peace will be made by a compromise, leaving them in a state of neutrality, or of partition between France and England. Independent they certainly will not be.

One thing is so clear that even British ministers cannot much longer blind themselves to its evidence. The longer they continue the war, the more universally will it extend, and the more they will establish the control of France over the continent of Europe. On the other hand the demonstration is equally plain, that the longer France and her dependencies adhere to what they call their continental system, the more easily will England be able to maintain the war, and the more effectually to secure to herself the monopoly of commerce throughout the world. I have been laboring to convince those whose interest it is to be convinced of this, ever since I came here, while the wiseacres among you have been telling the public that I came here to link the United States with the continental system, etc., etc., etc. Since the substitute for our non-intercourse, Napoleon has taken us at our word. He repeals the Berlin and Milan decrees upon condition that England revokes her orders in council and proclamation blockades, or that according to the act, we renew the non-intercourse with her upon her refusal.[1] I suppose she will refuse. But if she does our pa-

[1] "Lastly, we learn that the Emperor Napoleon has repealed the Decrees of Berlin and Milan, on condition that England shall revoke the Orders of Council, and renounce her *new* principles of blockade; *or* that the United States according to the act of 1 May last shall renew the non-intercourse, only with England. The Duke de Cadore, in most diplomatic form, assures General Armstrong that his Imperial

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triotic Junto will bear her out in it, as they did Jackson, and Canning, and Rose, and Berkeley, and all the treaty-makers and faithbreakers of "*that Island.*" We are all well. I am, &c.

TO SAMUEL LATHAM MITCHILL

ST. PETERSBURG, 5 September, 1810.

MY DEAR SIR:

. . . . . .

Many of our countrymen who have arrived at that port [Archangel] during the present season have met with great difficulties in obtaining admission, owing to the severity of the regulations for the exclusion of English vessels, and of vessels *coming from English ports*, both of which are prohibitive. The difficulty of distinguishing between English and American vessels and mariners, especially by foreigners, the facilities and temptations which vessels really American have for coming from British ports, the forgery of ship's papers pretended American, of which there is such a flourishing manufacture established in the city of London, and the interloping trade, which by the agency of some American individuals is supposed to be carried on with England in spite of all the prohibitions, together with the distance of the port of Archangel from this metropolis, and the want of

majesty of France 'loves the Americans.' His majesty's manner of showing love is peculiar to himself." *To Alexander Hill Everett*, September 3, 1810. Ms.

"If, as is supposed by some, it [repeal of the decrees] was already concerted with England, by a mutual understanding that the corresponding steps should immediately be taken upon her part, all our important difficulties are at an end, and an early peace between France and England may be expected. If on the contrary this conditional repeal has been announced only because it was known that England on her part would not comply with the conditions, it will only give a new attitude to our embarrassments, and increase the danger of our being eventually drawn into the war." *To Joseph Pitcairn*, September 4, 1810. Ms.

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an American consul there, and the very unusual number of American vessels which have arrived at that port this summer, have all concurred to raise obstacles to the reception of the genuine Americans, coming directly from the United States. Besides this, great and formidable efforts have been made, under a multitude of pretences and in a variety of shapes, to obtain the real exclusion of American vessels, or at least of the most valuable and important parts of their cargoes. Hitherto these efforts have been altogether without success, and we have had every demonstration in fact as well as every formal and solemn assurance, that the disposition of the government is in a peculiar degree favorable, not only to the support and encouragement, but to the extension of the commercial relations between this country and the United States.

I cannot but flatter myself that the revocation by the French Emperor of the Berlin and Milan decrees, though conditional as it is, indicates a change of system which will relieve us at least from a part of the oppressions and vexations under which our commerce has so long labored, and from the dangers with which it is still threatened. Some of our countrymen heretofore have most vehemently, and you know how erroneously, pretended that in that series of outrages which we have suffered from both the great maritime belligerent powers, the first example was set by France. I am curious to know, how they will be affected by seeing the first step towards a return to justice and a sense of right actually taken by France. If this example is followed by England, of which we have had from her so many and such solemn promises, we shall at least once more have reason to expect some security to our property, and some respect for our rights upon the ocean. But if the war of commerce has really been given up, (as if England revokes her Orders of

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Council and *new* blockade principles it evidently has been,) there will nothing be left about which they can long contend, and we shall probably have a peace before the next spring.

I have not seen the *Anthology* review nor any other of my lectures.[1] On leaving home I requested my brother, when the lectures should be published to send you a set of them, of which as a token of my esteem and friendship I ask your acceptance. I hope you have before this time received it.

It would have given me pleasure to see the outline of your course of lectures upon natural history, and I hope one day to see the course itself published.

The present is not a period very favorable to the arts and sciences in this country. The wars in which the empire has for several years been engaged, and the heavy expenses which they occasion, have introduced a depreciated paper currency, and have raised the prices of books and the materials of books to such a degree that literature suffers from it more severely. There is one work however of considerable importance in the course of publication, the first volume of which both in the Russian and German languages has appeared since my arrival. It is an account of the voyage round the world in the years 1803, 1804, 1805 and 1806, of two Russian ships under the command of Captain Krusenstern.[1] He is himself the author of the narrative. It will be contained in three quarto volumes, with a volume of maps and plates, to the execution of which the Emperor Alexander has appropriated one hundred thousand roubles. There is a French translation of this work announced at Paris by a Mr. Le Clerc, who is already known as the author of a general history of the Russian empire. An English translation will

[1] See p. 513, *infra*.

[2] Adam Ivan Krusenstern (1770–1846). See Adams, *Memoirs*, April 3, 1810.

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also probably appear, but is not yet in a state of equal advancement.[1]

. . . . . .

TO THE SECRETARY OF STATE

No. 23. [ROBERT SMITH]

September 5, 1810.

. . . . . .

He [Romanzoff] said [2] he had also received despatches from Mr. Daschkoff, stating that his application [in relation to a trade between the United States and a Russian settlement on the northwest coast of America] had been favorably received by the government of the United States. That they had a growing settlement on the northwest coast of America, and that from it a profitable trade could be carried on to China; that they had sent two vessels there under the command of Captain Krusenstern, which had gone from there to Canton. Canton was a port open to all the nations of Europe; but the Russians, who are specially favored by the Chinese government, had an exclusive trade with them, carried on at a place called *Kiakhta*.[3] But the Chinese had refused to admit Captain Krusenstern's ships at Canton, on the *pretext* that as the Russian trade with them had long been carried on with exclusive privileges at Kiakhta, they supposed that if the Russians meant to change the channel of trade they would have given them notice of it. And as they had heard nothing about such vessels coming to Canton, they could not tell whether they were really Russians or

[1] An English translation, by R. B. Hoppner, appeared in 1813.

[2] This interview was held on August 28, and is given at great length in the *Memoirs*.

[3] Now in Siberia, south of Lake Baikal. Its commerce suffered by the opening of the Suez Canal.

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not. There had been, the Count said, some *sheets* passed between the two governments since on the subject, but the convulsed state of Europe, and objects of so much greater magnitude, had so absorbed his attention, that they had not yet come to any arrangement with them for the admission of Russian vessels at Canton. He had therefore wished that the trade from the Russian settlement on the northwest coast of America to China might be carried on by the Americans. And as the settlement itself is in the neighborhood of Indians, who were sometimes troublesome and dangerous neighbors to it, he had thought an arrangement might be concerted with the United States, under which the Americans might have the trade of the settlement, under a restriction not to furnish warlike weapons and instruments to the neighboring Indians.[1]

I told him I collected from the papers which I had received that Mr. Daschkoff was not specifically instructed as to the limits within which it was wished that the restriction should be extended, and asked whether he could point them out to me. He said that it would require some consideration, but that their maps included the whole of Nootka Sound, and down to the mouth of Columbia River, as part of the Russian possessions. *It will be unnecessary for me to say anything further to the Count upon this subject until I shall have received your original despatch, enclosing the copy of Mr. Daschkoff's letter to you containing the proposal on the part of Russia. I do not imagine that it is the Count's serious intention to claim to the mouth of the Columbia River; but perhaps the fixing upon a boundary may present difficulties to the proposed convention which had not been anticipated. In the meantime the Count manifested no objection to the carrying on of the*

[1] A digression on Russia's diplomatic intercourse with China is in Adams, *Memoirs*, August 28, 1810.

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trade between the settlements by American vessels.[1] And as Russia's vessels are not admitted at Canton, it is much for the interest of the settlement that vessels which have access there should come and take their peltries to carry them. This can be done so conveniently, and probably so cheaply, by no others as by the Americans.[2]

I took the opportunity of this same conference to converse with the Count upon the difficulties which our countrymen experience in obtaining admission into the Russian ports, of which there were some complaints made to me from Cronstadt, and many from Archangel. The imperial ordinances prohibit, under pain of confiscation of the cargoes, the entrance of vessels from English ports or ports of other nations with which Russia is at war; and also of articles of merchandise, the growth or produce of such countries. To this number is now added by the ordinance of the 22 May last the ports of Portugal on the continent of Europe which are understood to be in possession of the English. A number of American vessels, however, have arrived at Archangel from Lisbon and Oporto, which sailed from those ports before any notice had been given that they could not be admitted as coming from thence into Russia, and with papers duly authenticated by the Russian consuls. On presenting themselves at Archangel they were not admitted to an entry and one of them at least had after examination of the papers been ordered to depart within thirty days. One other being under absolute necessity of undergoing repairs before she could sail, had been allowed to discharge her cargo, giving bonds to take it on board again when the necessary repairs should be completed. The captains of both these vessels addressed themselves directly to me, requesting me to obtain, if pos-

[1] Italics represent cypher.

[2] See Adams, *Memoirs*, October 9, 1810.

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sible, permission for them to enter, and to dispose of their cargoes. Several applications of a similar kind were also made to our consul, Mr. Harris, to whose department they more properly belonged than to mine. I had, however, in a personal interview with Count Romanzoff early in the last month urged to him all the equitable considerations which pleaded for the admission of these vessels. With regard to the one which had taken damage and required repairs the Count had given encouragement to expect that an exception would be made in his favor, and on that case he desired me to write him an official note. As to the rest he gave me the answer which I had expected, that to a measure general in its nature and arising from the state of war, it was not possible to allow particular exceptions on account of the mere want of previous notice. But in writing the note I renewed the application generally as well as that for the particular case of the damaged vessel, *because I knew that in this form it would all be presented to the consideration of the Emperor himself, and that if there was any possibility of success, it would arise from his personal disposition, so congenial with everything equitable and humane, and so peculiarly friendly to the United States. I have not yet received an answer to this note, but I know that on a representation of the circumstances set forth in it to the Emperor, he said he thought the vessels ought to be admitted.*

The obstacles to the admission of our vessels, especially at the port of Archangel, have not been confined to those coming from the Portuguese ports. For the purpose of carrying into execution the prohibitory ordinances, several persons in each of the ports have been appointed commissioners for the examination of the papers of neutral vessels. They are styled the *Commission of Neutral Navigation.*[1] The

[1] Not in cypher.

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papers of all vessels upon their arrival are in the first instance submitted to their inspection. Like all organized public offices, they have only certain hours of transacting business, and in this country are subject to the interruptions of the numerous holidays of the church, as well as of Sundays. By their constitution consisting of several members, they naturally become in some respects a deliberative body. Having during the season of open navigation much business upon their hands, they generally take up the cases in the order in which they are brought before them. If in the examination of any papers, circumstances occur which any one of the commissioners deems suspicious, they give rise to discussions, to delays, and almost always a reference of the papers, and of the questions arising from them, to the decision of the Minister of Commerce at St. Petersburg. These questions so frequently happen that I am told of nearly three hundred vessels arrived at Archangel this season, less than one hundred had about the beginning of last month been admitted.

The period during which navigation is practicable to and from Archangel seldom exceeds four months in the year. Should the vessels which have arrived, and are still arriving, be delayed much longer before they are admitted, they will be compelled to winter there, which for all of them will be very injurious, and for some almost equivalent to a total loss of the voyage. I had in my former conference with Count Romanzoff spoken to him on this subject; but in this last, the season being so much farther advanced, I pressed it upon him with as much urgency as I found he would bear without taking offense. I observed to him that the navigation from Archangel would probably be closed within a month or six weeks; that the length of the voyages, both in coming and returning, of American vessels, made a longer

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time necessary for them to remain in port than for others, and pleaded equitably for a peculiar attention of despatch in their behalf; that after their admission they must yet have time to dispose of the cargoes they had brought, and to purchase cargoes for their return, none of which business could be transacted while they were left in suspense whether they should be finally admitted at all; that possibly Baron Campenhausen, with whom I had not the honor of being personally acquainted, and with whom, if I did know him, it might perhaps be improper for me to have any conversation upon these subjects, might entertain suspicions in relation to many American vessels, owing to the extraordinary numbers of them which had arrived during the present season. But the fact was that a number far beyond that of any preceding year had really arrived, both here and at Archangel, coming directly from the United States, and destined to return directly thither; that I had anticipated this event, and, as he knew, had announced it to him as infallible, so long ago as last winter; that the causes of it were the obstructions to our commerce, which it experienced in almost every other quarter; the suspension of it by our own laws in the preceding years; and, above all, the encouragement which our merchants had derived from the peculiar favor which his Imperial Majesty had been pleased to manifest towards the United States. From my private advices, and from the complexion of the newspapers which I had received down to the middle of June, I knew that the exclusions which we were now subject to, in Prussia, Mecklenburg, and, as I expected to learn by to-morrow's post, in all the ports of Holstein, were all expected in America; but many of our merchants in all the sea-ports had said, Happen to us what will elsewhere, at least we are sure of being well received in Russia; that I hoped Baron Campenhausen would be made

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sensible of these circumstances, and of the essential importance to so many of my countrymen, that they should be immediately admitted. I added that this would be still more urgent for all those who might yet arrive before the close of the season; that I had received numerous letters, and from a variety of persons, all meeting with the same difficulties, and every one thinking that there were particular circumstances in his case which would entitle him to special indulgences and exemptions. I was unwilling to trouble him with each of these cases separately, as I wished them all to participate in the same advantage, and was desirous of sparing him the tediousness of particular details; that I had already had the honor of addressing to him a note, respecting the vessels which had arrived from Lisbon; that the supercargo of a vessel arrived at Archangel, from New York, had written to me to ask whether a special order for his admission could not be obtained, on account of his having brought despatches for me, and also to this government from Mr. Daschkoff.

The Count said this was undoubtedly evidence that the vessel came from the United States; and he had in other instances alleged it as such himself. But it could not be evidence, either of the nature of the cargo, or that the vessel was not last from some port of Great Britain; that it would not be therefore a sufficient foundation for a special order.

I then observed that in dwelling so earnestly upon the wish that I had expressed, I flattered myself I was promoting the interests of his Majesty's empire as much as those of my own country; that the number of American vessels which had come here, and the quantity of the Russian productions which they would take in return, were highly favorable to the agriculture and the manufactures of this country; that they gave encouragement to its industry, and contributed

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more than anything to support the course of its exchange. Such were the obvious effects of the vessels which had arrived; but I thought it unnecessary to press this argument much, as I was persuaded his Excellency knew better than I did how strongly it was supported by the fact.

The Count said he well knew that it was exactly so; that he had been hitherto the Minister of Commerce, but that a new arrangement had been made, by which all business of this nature was transferred to Baron Campenhausen; that he must do him the justice to say he was an officer of great activity, and dispatched business as fast as he could. But he was extremely apt to entertain suspicions; and possibly some delays might arise from this circumstance. He, the Count, was fully sensible of the weight and justice of the observations I had made to him. He would immediately make a minute of it in writing (which he did), and write tomorrow morning to Baron Campenhausen, pressing the subject in a special manner upon his attention.

I observed that my countrymen felt an extraordinary anxiety at these unusual detentions, from remarking their coincidence with the ordinances of Prussia, Mecklenburg, and Denmark excluding us from their ports, and from an apprehension that the same influence under which it was known that these orders had been issued might be exerted even here.

He assured me in the most solemn manner that I might rely upon it there was no foundation for these apprehensions; that the Emperor's sentiments and intentions with regard to the United States remained unaltered, and disposed to give it all possible encouragement. *The Count as I have already informed you had given me the same assurance in my last previous conference with him in regard to the Emperor's personal disposition, or to those of the Count himself. I have*

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no reason to question their sincerity. But the French Ambassador, as a minister of the first order, has by the diplomatic usages of the country direct and frequent access to the Emperor Alexander in person. There are subjects upon which he treats immediately with him, and without the intervention of the Count himself. The effect of the interviews between the Ambassador and the Emperor are perceived in the orders which afterwards go through the official departments. They are sometimes paramount at the deliberations of the Imperial Council. I have some reason to suppose that the Ambassador has suggested to the Emperor in terms stronger than the reality would justify, the abuses by which the English have endeavored and are endeavoring to shelter their property under the American flag; and from a confidential source some expressions of the Emperor himself have been reported to me indicating both that such suggestions as I now allude to had been made to him and his determination not to yield to them. I cannot undertake to say that what has hitherto failed may not at a future day prove more successful.

He asked me whether a favorable change had not taken place in the state of our relations with France.

I said that France had partially opened her ports to the United States.

He said he believed there was something still more recent, and that a sort of agreement had been entered into, between France and England, for the allowance of commerce in certain articles, by means of neutral vessels.

I had not heard of this; but observed that in the midst of all these violent ill offices which France was doing to us, her government was making the most solemn asseverations of the best possible dispositions and the most friendly sentiments towards us; that I had within this week or fortnight received such assurances from the French Ambassador here, while at the same time the Mecklenburg and Danish orders

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for excluding our vessels from all their ports were coming out. The French government too had issued a declaration that the French consuls in the United States no longer delivered any certificates of origin, and therefore that all papers purporting to be of that descriptlon, produced by the masters of American vessels in the Baltic, must be forgeries. But nothing could be more false than this assertion. All the vessels coming from the United States brought certificates of origin given by the French consuls, and I had myself delivered to Mr. Lesseps [1] a letter from the French consul in Boston,[2] informing him that he had given such a certificate to the master of the vessel which sailed the latest of any which have yet arrived. In the order to exclude American vessels, which they had made the Duke of Mecklenburg sign, that Prince had committed himself to an assertion equally wide from the truth. He affirms that for a long time no colonial articles have been exported from the United States. This was sporting with the common sense of mankind in a manner almost unparalleled.

The Count replied that it was indeed extraordinary; and with regard to the certificates of origin, he had remarked that the declaration asserted the French consuls had not delivered any "depuis quelque temps," an expression so vague that it might be a week or a year, and could warrant no inference to falsify any such papers yet produced. With regard to this system of restriction, the Count seemed to me more than ever convinced of its inefficacy, and prepared, at least in his own mind, to give it up.

The day after this conference I received a message from Baron Campenhausen with information that the papers for the admission of several of the vessels which had been de-

[1] Jean-Baptiste-Barthélemy, baron de Lesseps (1766–1831).

[2] Marc-Antoine-Félix Giraud.

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tained, were already expedited; and that special orders had been sent to the Commission for Neutral Navigation at Archangel, to use the utmost possible despatch in the examination of the papers of American vessels for the future. While writing this letter I receive a note from him, informing me that his majesty the Emperor has ordered that the vessels from Lisbon, concerning which I had written to Count Romanzoff should be admitted. The decision involves a principle which will apply to many other vessels in the same predicament, and affords a signal proof of the correctness with which the Chancellor assured me that the Emperor's dispositions towards the United States remain unaltered.

I have received indirectly intimation of the Count's desire to cement by a treaty of commerce the relations between the two countries. Unless the President has objections of which I am not aware, I would earnestly recommend that a full power and instructions for this purpose be sent me. The moment is eminently favorable, and such an occasion once lost may not in as many years again recur. . . .

TO THOMAS BOYLSTON ADAMS

ST. PETERSBURG, 8 September, 1810.

. . . . . .

I have written to my son George,[1] who is coming now to an age which will call for all the care and all the zeal of a parent for his education. As you are now yourself the father of a boy, and I hope will be of more, you will more perfectly enter into my feelings on this subject, and the more readily indulge my opinions, although you may perhaps not always coincide with them. With regard to *sedentary learning*, the

[1] George Washington Adams, born in Berlin, Prussia, April 13, 1801.

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languages, all the classical studies, and such personal accomplishments as are usually taught among us, I shall depend upon the school and the college. I wish, indeed, he could have an opportunity to take lessons of *drawing* and of *fencing*, of both of which I learnt a little at his age, or soon after, and of which I always regret that I did not learn more. The first of these arts has not only the advantage of forming and improving the taste in all the fine arts, but there is no occupation of life to the purpose of which it may not be made eminently useful. The second is a very good exercise, and besides its tendency to invigorate the constitution, contributes to quicken the operations of the eye, and to give firmness and pliancy to those of the hand. I suppose, however, that for the present I must be content to let my boys wait for instructions of this kind, as you have probably no teachers of the sort in your neighborhood. One of the things which I wish to have them taught, and which no man can teach them better than you, is the use and management of firearms. This must undoubtedly be done with great caution, but it is customary among us, particularly when children are under the direction of ladies, to withhold it too much and too long from boys. The accidents which happen among children arose more frequently from their ignorance, than from their misuse of weapons which they know to be dangerous. As you are a sportsman, I beg you occasionally from this time to take George out with you in your shooting excursions, teach him gradually the use of the musket, its construction, and the necessity of prudence in handling it; let him also learn the use of pistols, and exercise him at firing at a mark.

In general let him have as much relaxation and sport as becomes his age, but let him be encouraged in nothing delicate or effeminate. Seize every possible occasion to give him

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hardihood, inure him to fatigue; let him if there be an opportunity begin to mount on horseback. If he goes into Boston to see a play, make him walk for it rather than ride in a carriage. Let him learn to skate this winter, and if he has not already begun, let him by all means learn to swim next summer. In everything of this kind I know there is danger, but it is a world of danger in which we live, and I want my boys to be familiarized as soon as possible with its face, that they may be the better warned and guarded against it.

To his French, his speaking, and his handwriting, I must rely upon you to see that constant attention is paid. I have directed him to keep files of the letters which he receives, and told him you would have the goodness to show him how to put up and endorse letters in files. Much, very much, must be taught to children without seeming to teach them. A father should elicit from everything in nature instruction for his child, and you must in this respect be a father to mine.

One of the kindest correspondents that I have had since I left home is Dr. Mitchill of New York. He writes me in his last letter that the *Anthology* has taken favorable notice of my lectures, but though his letter is dated in May, he appears not to have seen the lectures at that time himself. His name was upon the list of persons to whom I desired you to send copies as presents in my name, which I hope you have not forgotten. And to that list I wish you to add the names of our sister Smith, and of Mr. Pope, the Senator from Kentucky.

Among the reasons why I am so much disappointed at being so long without hearing from you is the wish to know something more of the great revolution in the political aspect of New England and New York, a revolution which I was far from anticipating at my departure from the United

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States, and still less expected after the last winter's *patriotic resolutions*. Absurd and pernicious as I knew the policy of the faction which ruled in the eastern section of the union to be, they had for two years been so much countenanced by the people that I had no hopes of seeing them so soon deserted by their majorities, or that they had so grossly miscalculated the effect of their measures upon the public sentiments. I hope, and from their selection of characters and the complexion of Governor Gerry's speech and the *Houses'* answer to it I trust, that the rising party will secure their ascendancy by moderation and conciliatory councils.

. . . . . .

TO JOHN POPE

St. Petersburg, 10 September, 1810.

My dear Sir:

I have seldom met in the course of my life with an event which has given me more pleasure, than the information which we have lately received of your marriage with a sister of my wife. To the esteem and respect which I had always entertained for your character ever since I had enjoyed the opportunity of becoming acquainted with you, I am happy to find added by this new relation between us that sentiment of regard and attachment which naturally arises from our mutual and like connection with the same family; and with regard to the object of your choice, having long taken an affectionate interest in her welfare, I most cordially participated in the joy with which her friends have seen thus assured to her the prospect of as much happiness as our condition in this world can comport, and which we believe she deserves. For you and for her I can form no better and no stronger wish than that through the course of a long and

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prosperous life you may both derive from this union as much of the felicity, and as little of the sorrows of human existence, as for upwards of thirteen years has fallen to my lot from my union with her sister. . . .

It is now more than two years since I resigned my seat in the Senate of the United States, the occasion of which was, I believe, well known to you. A full third of the members has been changed since that time, and a letter from Mrs. Johnson to my wife intimates that you will also probably be soon, if you have not already been, removed from that body.[1] As I presume the station which you are to assume instead of your seat in the Senate is more agreeable to you, I must acquiesce in your determination, which on my own account however I shall regret. I had flattered myself that during my own residence in Europe I could have enjoyed the benefit of a confidential correspondence with you, which your situation in the Senate might have rendered useful to the public, as I am persuaded it would be to me. There are things which I could communicate to the President and Secretary of State in this manner, which it would not be prudent to write them directly, even by private letters; and on the other hand, I want information of the proceedings of Congress as affairs are transacting, and more particularly than can be gathered from newspapers. If, therefore, you remain in the Senate, I earnestly request your correspondence, and the more frequent and circumstantial the better. It will also give me great pleasure to hear from you as often as you can make it convenient, if you should vacate your seat, and fix again your residence in Kentucky.

If you continue in Congress, this letter I presume will find you in session, and the return of General Armstrong,[2] who

[1] John Pope (1770–1845), remained in the Senate until 1813.

[2] He left Paris, September 12.

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may be expected to land in the United States just at the period when Congress will assemble, will furnish the government with such information as may be necessary to direct the course of policy to be pursued in relation to our foreign affairs. Although from some letters and papers that I have received, it would seem that the measures of the last session did not give general satisfaction to the friends of the present administration at home, I believe that their general effect has been highly advantageous in Europe. The result certainly was to soften the dispositions both of the French and English governments. The non-intercourse, without much injuring either of them, had greatly irritated both, and the mortification, which Jackson's insolence and its chastisement had reflected upon his government and nation, had further contributed to exasperate the English. The repeal or expiration of the non-intercourse happened at a fortunate moment for them. They were suffering a scarcity of grain and flour, of which they immediately received an abundant supply from America. Their fleet in the Baltic, which had been ordered not to suffer any vessels coming from ports from which the British flag was excluded to pass, immediately afterwards and constantly since have allowed American vessels to come and go freely to and from the Baltic. France has done much more. She has accepted your proffer, and repealed the decrees of Berlin and Milan, upon conditions, however, with which Great Britain appears to be in no haste to comply. Our national character instead of losing has certainly risen in the estimation of Europe, as well by the spirit and decision with which the door was shown to Mr. Jackson, as by the keen, bold and unanswerable letter of General Armstrong to the Duke of Cadore, of 10 March.[1] I believe that the project which both France and England

[1] *American State Papers*, Foreign Relations, III. 381.

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did at one time entertain, of compelling us to take a part in their war and of suffering no neutrality, is abandoned on both sides. They will undoubtedly continue to harass our commerce with many vexations and oppressions, but in spite of them all I think that upon the whole it will flourish, and perhaps the insecurity and danger to which it will still be exposed will have a favorable tendency to check the propensity for our trading which has heretofore been observed among us, and employ a suitable proportion of our capital in the improvement of our agriculture and manufactures, the surest sources of our national independence. There is now every reason to hope that we shall escape being involved in this war, and if we do, the continuance of our national prosperity is infallible.

I trust, therefore, that our government will adhere to that steady, moderate and impartial policy, which has hitherto carried us through one of the most critical periods in the history of the world. As an *appendage* either to Britain or France, the only character in which we should appear if we became parties to the war on either side, we should assume an appearance neither of dignity nor of power. All their dependencies on both sides are merely objects for the contempt, or at least for the compassion, of one another and of the rest of mankind. Our situation is not only duly estimated by ourselves, you may be assured that it is the *envy* of all Europe. The fatal friendships of England, and the grinding oppressions of France, ascend in secret or in open curses and execrations to Heaven from every corner of Europe. And even those who have no independence left of their own look with some consolation and applause upon the peaceful assertion of ours.

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TO THE SECRETARY OF STATE

No. 24. [ROBERT SMITH]

ST. PETERSBURG, 8/20 September, 1810.

SIR:

The capture by five Danish gun brigs of a fleet of forty-eight vessels, convoyed by one English brig on the 19th of July last, has been mentioned in one of my former letters. Of the captured vessels, seventeen or eighteen were Americans and eight of them at least had sailed about one month before from Cronstadt for the United States. You will recollect that the present Danish privateering ordinance declares all neutral vessels which shall have taken advantage of an English convoy in the Baltic or in the North Sea to be good prize. Against this regulation I remonstrated immediately after I received the ordinance in a letter to Mr. Joy, of which I presume he made use in his communications with the government at Copenhagen, and of which he informs me he sent a copy to you.

The British government at the opening of the Baltic navigation season declared the port of Elsineur in a state of blockade. The only conceivable object of this measure must have been to deprive the king of Denmark of the customary duties paid at the passage of the Sound. I know not by what other law of nations than that which pretends to the dominion of the seas or passage to half Europe can be stopped, for the purpose of cutting off a petty toll duty paid to an enemy. The British government have not indeed avowed this as their purpose in the declaration of blockade, and they have suffered some of the American vessels which they compelled to pass through the belt to stop at Nyborg

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and pay the Sound duties there. But I learn by a letter from Mr. Daniel Adgate, supercargo of the ship *Helvetius* of Philadelphia, which sailed from Cronstadt for that port in the beginning of the month of July, that on the 10th of that month she was stopped by the British man-of-war *African*, off Möen Island, and the captain was peremptorily forbidden to proceed through the Sound, *or to pay the Sound dues to Denmark*. I presume that the American vessels which had preceded the *Helvetius* on their way out of the Baltic had met the same treatment; for I know that most, if not all, of the eight from Cronstadt, which have been carried into Christiansand at the time of their departure had determined not to go with an English convoy, if they could possibly get through without. Neither could they have had any motive for stopping at Gothenburg, unless from the necessity thus imposed upon them of going under convoy.

It is not a little remarkable that after using this sort of compulsion to take our vessels under their protection, they should have left them so completely exposed that they may be said to have delivered them of their own accord into the hands of the Danes. I have seen in the public prints a letter from one of the captured captains which complains that after being separated from the great convoy on the 18th of July, off the Robsmont, which is on the Jutland shore, and entrusted to the care of one small cutter brig, they were made to take a course so directly northward as to bring them into the very jaws of danger, within six miles of the coast of Norway, and close upon Christiansand, the very spot where all the principal Danish force of Norway lay. Nor is it less deserving of notice that of the forty-eight captured vessels, not one is English.

Since the intelligence of this event has been received here, I have had several conversations with the Baron de Blome,

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the Danish minister at this court, on the subject. I have urged to him the injustice of the regulation which makes a vessel and cargo liable to confiscation, though acknowledged to be neutral property, but merely for having occasionally been in company with an English convoy. And I have pressed yet more earnestly the extreme hardship of making such a regulation, so new and so questionable in its principle, bear upon vessels which had come into the Baltic before its promulgation, and to which therefore upon their return it operates as a retrospective law.

At the same time as the British blockade of Elsineur had no other object than to cut off a profitable branch of revenue to Denmark, I suggested to the Baron as a subject for the consideration of his government, whether some expedient might not be devised to secure the payment of the customary duties in future by the American vessels which may pass through, although they should not be allowed to go into Elsineur and might go in company with an English convoy.[1] This idea appeared to make some impression upon his mind, and he asked me to write in the form of a letter to him, the substance of what I wished to have represented to his government, which he promised me to transmit. He professed, as he has uniformly done, a disposition personally very friendly to me, and to the United States. Nor have I any reason to doubt its sincerity. *Although his duty to support as a public officer the course of policy adopted by his government, and the necessity which he cannot dissemble of cultivating the good will of France, lead him to use his influence here in a manner not altogether propitious to our interests or that of Russia, he is of all the foreign ministers at this court the most active and the best informed, though perhaps for that among other reasons, the most disliked. His pursuits since my arrival here have certainly been very far from mine, and*

[1] Cypher.

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I may say in direct opposition to them; [1] but I have no reason to doubt the fairness of his mind, and I have known few, if any, public ministers upon whose word a firmer reliance might be had than upon his.

Mr. George Joy's licenses, as I learn by a letter from him at Gothenburg, dated 15th of August, have not proved so efficacious for the protection of our vessels as he had expected. Indeed, from the explanation of their precise nature which he has given me in this last letter, the only effect they could have had would have been to protect vessels after passing at Elsineur from capture by privateers between that place and Copenhagen. While the British blockade of Elsineur continued they could be of little avail. It is indeed true that notwithstanding this blockade some of our vessels have been suffered to pass. For the orders of Admiral Saumarez to his subordinates, and perhaps the orders of the Admiralty to him, have varied several times in the course of the season. But the first American vessel which took at Gothenburg one of Mr. Joy's licenses, was stopped and turned back by the British before he could reach Elsineur.

The repeal of the decrees of Berlin and Milan is upon conditions which render it apparently of little effect. As yet I have not heard of a symptom indicating the intention of England to give up any of her blockading principles, nor even her Orders in Council of 1807, as subsequently modified. There is even in the French official journals an attempt to preserve the appearance as if nothing had taken place in the system of France. Possibly the change of system has not really been great. *But the substitution of enormous duties for total prohibition will not so well suit the professed purpose of annihilating all commerce between Great Britain and the continent of Europe, and the sale of licenses by the Emperor*

[1] Cypher.

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Napoleon for all sorts of vessels at a tonnage duty of sixty francs by the last, is neither disguised nor concealed. While he allows trade by special licenses it is not easy to see how he can deny to his neighbors and allies the benefit of granting licenses also; and although there may be a great part of Europe to whom he is rather in the habit of signifying his will than of urging persuasion, there are others who still consider his example as authority quite as good as his precept. I have long considered the continental system as little more than extortion wearing the mask of prohibition. The system is now at least so far changed that the mask is laid aside and extortion shows her natural face. . . .[1]

TO WILLIAM PLUMER

St. Petersburg, 6 October, 1810.

My dear Sir:

I received with the greatest pleasure a few days since your favor of the 18th of May, which is one of the latest I have received from America. Although a great number of vessels have arrived in the Russian ports from the United States this summer, my friends in America appear not to have been aware of the frequent opportunities which occurred of writing by them. We have been tolerably well supplied with newspapers, but excepting your obliging letter, one or two from Dr. Mitchill of New York, and as many from Mr. Joseph Hall of Boston, I have scarcely received a line from private sources out of my own family since I left them. I ask therefore with earnestness the continuance of your favors, which will be transmitted by the Secretary of State, or by Mr. Gray, if you will indorse them to him.

The issue of the late New England elections had been in-

[1] Cypher.

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dicated to us early in the spring by the example of New Hampshire taking the lead of recovery from a delusion which for the two preceding years had given me great anxiety and apprehension. The infatuation of that political party in our country, with whom you and I had heretofore generally been accustomed to act and to think, their degeneracy from the just and honorable *principles* which alone could ever have attached us to them, the glaring absurdity and hypocrisy of their professed veneration for the policy of Washington, while they were aiming a fatal blow at the Union, the great foundation of his political system, and while they were openly using for their purpose all the means which he had most solemnly deprecated, their blind and stupid servility to a British minority which was heaping insult upon outrage *in this country*, the profligacy with which they were endeavoring to make religion an engine of faction by the mountebank trick of their solemn fasts, and by goading into the pulpit every ignorant priestly fanatic that they could employ as a tool, to pollute with the filth of personal malice and detraction the sacred desk of God, these were appearances and practices which I had witnessed for two years, accompanied with so much success, and against which I had during great part of the time seemed so ineffectually to have struggled, that the great change of public sentiment manifested by the elections of this year throughout New England was accomplished earlier than I had expected. The violence of last winter's Massachusetts and New York Jacksonite resolutions, so congenial with measures of the former winter sessions which had been countenanced by intervening popular elections, had led me to believe, that the public nerves were still in a disordered state and still mistaking the cause of their own disease. Though long experience had taught me, what you and I have often remarked together, how unskilful the

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federalists were in their attempt to adapt their measures to the state of the public pulse, yet as unlucky contingencies had thrown into their hands a majority which two years of madness had not sufficed for them to lose, I did suppose that they would not have disgraced themselves by such base prostrations before the insolence of a foreign emissary, and such shameless inveteracy against their own government, without being very sure that the agitated feelings of the people, at least in New England, still went along with them. I was, therefore, most agreeably disappointed in the issue of the elections. It has given me the cheering hope of internal tranquillity in our country, and of permanency to the Union, which for the two preceding years was certainly in the most imminent danger.

You tell me, that I am often much reviled in certain newspapers, and that the clumsy animals who still earn their sop by howling at me have not yet instinct enough to forbear coupling your name with mine in their yell of slander. As you are a historian I can give you a historical thread to consider and meditate upon at leisure. In the month of July, 1787,[1] was published in the Boston *Centinel*, I believe the first piece of abuse of which I ever had the honor to be the object in a newspaper, and what think you was the occasion of the attack? It was because on taking my first degree at Harvard College I had delivered at Commencement an oration which happened to suit the public taste, and had obtained marks of approbation rather beyond the usual average. In the form of a critique upon the performance at Commencement a shaft dipped in venom was hurled at me on my first appearance before the public view of my country. The author of this critique was a person who had himself been a much admired Commencement orator, but who thought it advisable

[1] See Vol. I. 34*n.*, *supra*.

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to balance the partialities of public indulgence in my favor by casting the heaviest of his weights into the opposite scale. The public did not sympathize with his criticism, nor did he ever think proper to own it. The editor of the *Centinel* was allowed and took it upon him to father a production, the features of which too loudly disclaimed the descent from him, as the Duke of Orleans when he took the name of Philip Egalité only stigmatized his mother by pretending to be the son of a coachman.

I will not fatigue you with a tiresome detail of subsequent occurrences derived from this one. It may suffice to say that this anecdote will give you the key to all the ribaldry which from that day to this has appeared in the *Centinel* pointed at me. The temper which first dictated that effusion has sometimes been suppressed, but never subdued, and I have too long known the general character of human nature, and the particular hearts of the individuals, to expect that it will ever be appeased. The two years which preceded my departure from America had furnished ample materials for the exercise of that temper. But they had brought my own temper to the trial of a higher test. By adhering to my principles I had been deserted and sacrificed by my friends. I knew that the ground that I had taken was not to be shaken under me by friend or foe. But the example of such men as yourself and Mr. Gray, gave a countenance and sanction to my conduct which at the most critical moment gave me the greatest satisfaction, and made me take a pride instead of feeling pain at the overflowings of malice and envy, which were so copiously streaming down upon me. Hatred has a keen eye, but its feelings impose upon its vision. They whose purpose it is to blacken me could not more effectually defeat their own object, than by shedding a portion of the same invective upon you.

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I now please myself with the hope, that you and your associates in our public affairs will now preserve by moderation and wisdom the ascendancy which you have obtained. But if our country has exhibited a new example of the instability of popular sentiments, the giddy habitation of the vulgar heart, it has still more forcibly proved to me the difficulty, as well as the duty, of maintaining oneself free from the shackles of dependance upon any party. And yet as the government of a state, and still more that of the nation, must consist of a systematic combination of measures, it is certainly necessary and even indispensable, that individual members of a party should on most occasions, perhaps on all, sacrifice their individual opinions to those of the majority, whenever this acquiescence does not involve a *dereliction of principle*.

It was natural enough that the ardent spirits who felt indignant at the outrages still continued of Britain and France upon our commerce, should be dissatisfied at the issue of the last session of Congress. But you, who consider things coolly, have very justly judged, that the measures adopted were far better than others which, indicating more resentment, might not have had more real energy. The non-intercourse, ineffectual as a weapon to hurt either of the offenders, had operated only to exasperate both. Its repeal has, at least, been taken by both in good part, and has been followed by corresponding relaxations on their side. France, indeed, has availed herself of it with the most address, by seizing upon the occasion to abandon the whole system of anti-neutrality if England will do the same. England will not give up entirely, but will probably yield to some further modifications, which may leave an extensive and profitable field open to neutral trade. We have escaped, providentially escaped the scourge of war with either of them, and you

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may be assured that in the estimation of all Europe our national character is continually rising on the scale of power, and of moderation and wisdom, without losing any in that of genuine spirit.

The politics of Europe are still extremely complicated, and the prospects of the future are gloomy. The new relations between France and Austria are not yet fully unfolded to the world. Their harmony with Russia is yet uninterrupted, though circumstances have occurred which might occasion coolness between them. Russia is now carrying her victorious arms into the heart of Turkey, but her exhausted finances are clamorous for peace. The object of my mission has, I believe, hitherto been completely accomplished. But your cunning politicians, who knew so well and told the people so positively what that object was, like Mr. Fingal, "saw what was not to be seen." If you will compare the conduct of Russia toward American commerce with that of all her neighbors, not even excepting Sweden, you will easily perceive the object of my mission, and thus far its success. I am, etc.

TO ABIGAIL ADAMS

St. Petersburg, 2/14 October, 1810.

. . . . . .

Your elections for the House of Representatives in Congress will now soon discover, whether the voice of the people in New England continues to favor the general policy pursued by the national government or not. The measures of the last session of Congress appear to have given some dissatisfaction to the friends of the administration, but their effect in Europe has been good. Neither Mr. Macon's bill, as it went from the House of Representatives, nor the

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amended bill, as passed by the Senate, would have produced a result so advantageous in the measures of France and England, as the law which actually passed both houses. Our countrymen must remember that manifestation of spirit is not always exertion of energy, and that to withdraw the one for the other is a very dangerous error in politics.

General Armstrong has left Paris to embark for America, and I presume is by this time far advanced on his passage home. He carries with him, it is said, some new modifications of the system of French decrees, favorable to the commerce of the United States. His letter of 10 March, to the French Minister of Foreign Affairs, is universally admired here, and has done great credit to our country by supporting its estimation and maintaining its dignity in the face of Europe, as well as of America. But while France is holding to us now the language of friendship and conciliation, she is playing us all the sly tricks in her power elsewhere.

I was very glad to receive the number of the *Anthology* containing the critique upon my lectures.[1] I had more than

[1] "Mr. [Samuel Cooper] Thacher . . . then read a most delightful long review of J. Q. Adams's Lectures, which was received by all with decided approbation; but the first paragraph and the concluding sentence of the last was objected to, on account of its mention of politicks. A discussion ensued, on the propriety of retaining these passages, when Mr. [Joseph Stevens] Buckminster and Mr. [William Smith] Shaw were for striking out, and Mr. [William] Tudor [Jr.] and Mr. [James] Savage for retaining. A vote was taken, when there appeared three for each side, and the Vice President [John Thornton Kirkland] gave it for retaining." *Journal of the Anthology Society* (Howe), 225. Thacher wrote, and without doubt represented the general view: "We have indeed no wish to disguise our sentiments on the political career of Mr. Adams. We have, on this subject, no sympathy with him whatever. We see and lament that the orb of his political glory has become dark —

Irrevocably dark, total eclipse:
Without all hope of day. — *Samson Agonistes.*"

He excused this expression, "lest the praise we may be bound in justice to bestow, should lose its value by being supposed to proceed from political friends." And at the close of the review the writer lamented that Adams had turned from the walks

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once heard of it, and my curiosity had naturally been excited. The author may say what he will about his political antipathy to me, I take him to have had, even while he was disclaiming my friendship, a SNEAKING *kindness* for me. As a critic he would doubtless object to this expression as coarse, and in an "excessively bad taste." But on the other [hand,] it is the only word suited to the thing. He may take comfort that he is not alone. I had great numbers of these secret friends among my dear fellow townsmen of Boston, who in defiance of their own consciences were joining in the hue and cry, and making themselves the tools of my real enemies. If the day should ever come when they shall think there is anything to be got by my friendship, I have no doubt they will be as officious in boasting of their attachment to me, as they have been and yet are in disavowing it. I have had so many of these amiable friends, that I can almost say in the language of Shakespeare "I have kept of them tame." It is not magnanimous and certainly not wise to quarrel with human nature for being weak. That a man should be deserted by his friends in the time of trial is so uniform an experience in the history of mankind, that I never had the folly to suppose that my case would prove an exception to it. Admiral Berkeley brought on my time of trial, the only real one that has happened to me in the course of my life, and most completely was I deserted by my friends — I mean in Boston and in the State legislature. I can never be sufficiently grateful to Providence that my father and my brother

of literature, had abandoned "the laurels which he might have gained without a rival, to gather a barren and withering chaplet of political renown." He applied to him the lines of Goldsmith, as a man

> whose genius is such
> We scarcely can praise it or blame it too much;
> Who, born for the universe, narrows his mind,
> And to party gives up what was meant for mankind.

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did not join in this general desertion. There were exceptions in the town of Boston, which I trust I shall never forget. In the legislature *not one*. But as to political friends, the loss of one was the gain of another quite as trusty and quite as honest. The Junto-men, whose pretended friendship had never been anything but disguised hatred, I considered it fortunate to have stripped of their masks, and at open enmity. But these half-faced fellowships, these prudent politicians who would have been my friends if they had dared, but whose credits at the banks, advertising custom, or corporation favor, depended upon their disclaiming me, have made their friendship fit as easy upon me as it did upon themselves.

The principal faults which I have to find with the *Anthology* critique is for its excessive praise. Heaven knows that I was not formed of materials insensible to the praise of my fellowmen, but I cannot relish praise from a quarter which I do not esteem, and I cannot esteem the man who can degrade himself by such servile sacrifices to popular prejudices, as the *Anthology* critic has gone out of his way to make in reviewing a merely literary work. If he had no sympathy with my politics, it is at his own peril. If he believes what he says of my high character, great talents and private virtues, what call was there upon him for his declaration of war against my politics? Was it to soothe the subscribers to the *Anthology*, and atone for the commendation of an heretic? Yes, this motive is sufficiently discovered and almost openly avowed, and in my scale of morality it is a motive so despicable, that I would not give a straw for all the commendation that such a panegyrist could bestow. His *censure*, having relation to the work, is partly just, and partly erroneous. For a book of instruction the lectures are in a style too oratorical, or if you please too declamatory. I purposely in-

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dulged myself and my hearers in some excess of this kind, for the sake of riveting their attention to the subject, and because I know that superfluous luxuriance might easily be pruned, and that barrenness could never be made to flourish. This was the very reason which made me reluctant at the premature publication of the lectures, for I knew that I must abide by the blame which they would bear for this original sin. My recollection of Caesar's oration for Archias, as he states, was inaccurate, and that was one of the passages which I should have altered, if I had had only time to read them over, and after the call for publication, and before they were published. Incorrect metaphors, as he says, abound in every part of the book. I do not set so high a value upon perfect correctness in the use of figures as Dr. Blair or Mr. Addison did, and their correctness is much more perfect in theory than in practice. Blair has shown by minute analysis that Addison's "Pleasures of the Imagination," and Swift's "Proposal for improving the English Language," abound in every part of them in incorrect figures, and I think I have shown that Mr. Blair has no distinct idea of the difference between figurative and literal language, insomuch that he quotes two of the most figurative passages in all Virgil as examples of pure simplicity without figures. Correctness is always cold and tame; and although I never write incorrectly on purpose, I suppose a multitude of incorrectnesses to escape me, and sometimes let them pass even after detecting them myself. These are crumbs for small critics to feed upon. The passage attempting to illustrate the different modes of reasoning by *ratiocination* and *induction* is, perhaps, as he objects, still somewhat obscure. I think I understand it myself, but that lecture was one of those with which I was most dissatisfied, and it is probably one of the worst in the book. I could easily defend most of the other passages with

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which he finds fault, but as a whole the work must defend itself or fall. If it should ever go to a second edition, it can doubtless be made more correct, but it must live or die by the soundness or defects of its vital parts, and they must stand the test of sterner judges than the critic of the *Anthology*.

To return to my politics. I find that of all the American newspapers the Boston *Centinel* is that which most frequently gives me token of remembrance in my absence. Among other obliging notices I find the editor has informed the world, "how ill calculated our townsman is for the splendid and intriguing Court of St. Petersburg." As a commentary to show you how accurately his correspondents have been acquainted with my condition here, and how justly they have represented it, I must give you in the original language, which my father or my brother will translate for you, an extract from a dispatch of the Chancellor of the Russian Empire to Mr. Daschkoff, which that gentleman has communicated to the President of the United States: "L'accueil qu'a fait l'Empéreur à M. Adams a du le convaincre que, si sa destination était agréable à sa Majesté, le choix de sa personne n'y contribuait pas moins. Recommendable par le nom qu'il porte, ainsi que par ses qualités personnelles, ses titres ont été justement appreciés par sa Majestê Impériale. Je ne doute pas, Monsieur, que son Excellence le Président des Etats Unis n'en ressente une satisfaction personelle de l'attention de sa Majestê Impériale à son choix."

I intreat you, however, that this may not go out of our own family. I see how ungraciously it comes from myself, and I should not have given it even to you, but for the compliment which it contains to my father, which he and you ought to know, and which to my heart gives to the whole testimonial its most precious value. This dispatch was dated 10/22

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November, 1809, just about the time when the correspondent of the *Centinel* was making the discovery "how insignificant a figure our townsman" was making at St. Petersburg. From that day to this the Emperor has treated me with the same kindness and attentions, and, what is much more important, he still gives a welcome reception to my countrymen, while all his neighbors have excluded them from their ports. I remain, etc.

FROM JAMES MADISON

Private. Washington, October 16, 1810.

DEAR SIR:

Previous to my return to this city, I received a letter from Mrs. Adams, your highly respectable mother, communicating your anxiety to leave a situation rendered insupportable by the ruinous expenses found to be inseparable from it, and taking it for granted that you had written or would write to the Secretary of State to the same effect. The answer to her was, that as it was not the intention of the executive to expose you to unreasonable sacrifices, it could not withhold a permission to retire from them, and that you would be so informed from the Department of State. You will accordingly receive a letter of leave, and a blank commission, providing for the care of our affairs till a successor may be appointed. As no communication of your wishes, however, has yet been received from yourself, I cannot but hope that the peculiar urgency manifested in the letter of Mrs. Adams was rather hers, than yours; or that you have found the means of reconciling yourself to a continuance in your station. Besides that confidence in the value of your services which led to the call upon them, there are considerations which you will readily appreciate, bearing against a sudden return from a short mission, the occasion for which has been made the subject of so much lucubration. Among them is the difficulty of shielding the step against unfavorable

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conjectures as to its cause in the mind of the Emperor; and the evil might become the greater from the possibility of a protracted intermission, if not entire discontinuance, of the representation of the United States at St. Petersburg, corresponding with the grade of the Russian minister here. It will for this reason be particularly expedient, in case you should make immediate use of the document sent you, to spare no pains in guarding against a misconstruction of your departure, and in preparing the Russian government for a delay in filling the vacancy, which may be unavoidable, notwithstanding the purpose of preventing it. As far as assurances of unabated friendship here can be of aid to you, they may be given with every emphasis which the sincerity of these sentiments can warrant.

I will add that whilst I do not disguise my wish that the continuance of your valuable services may be found not inconsistent with your other and undeniable duties, I cannot, on the other hand, wish that the latter should be sacrificed beyond a reasonable measure; and within that measure, I am entirely persuaded that your patriotism will cheerfully make the sacrifice.

Accept my sincere respects and friendly wishes,

JAMES MADISON.

TO WILLIAM GRAY

ST. PETERSBURG, 8/20 October, 1810.

DEAR SIR:

. . . . . .

Almost all the profitable mercantile business of St. Petersburg is commission business. The merchants therefore are all commission merchants. The first object of their ambition is to obtain consignments, and their great address consists in making the most of them. The American business has heretofore been monopolized by a few houses, and in some instances, unless all the information that I have obtained

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here on this matter is erroneous, has fallen into bad hands. The practices by which some houses are said to have enriched themselves upon the plunder (for it deserves no better name) of their correspondents in America, are numerous and have not always escaped detection. Until within these two years the amount of American business was comparatively small, and few of the Americans who came here knew how their affairs were *really* transacted. As the houses who engrossed all the consignments were much connected with one another, you will easily perceive how they could sink the price currents of cargoes to be sold, and raise the market of those to be purchased, more according to the level of their own interests than to those of their consigning friends. The principal houses purchase on their own accounts, when the prices are at the lowest ebb, immense provisions of all the articles of export. The instant an American vessel is reported to have arrived at Cronstadt, down go the prices of whatever she brings, and up start those of the Russian exports. Then the consignee furnishes his friend with a cargo from his own stores at the increased price, or gives higher than the current price in market for part of the supply, in order to charge the remainder at the same price from his own warehouses. These are among the fairest and most honest artifices of the trade. But I have been told of simulated sales which some consignees make to *themselves;* of *pretended* payments of hush money at the custom house, charged sometimes to the amount of many thousand rubles under the name of *extra* charges, but never paid in reality, only pocketed by the consignee; of twenty thousand rubles offered to a supercargo for the favor of transacting his owner's business; of purchases made with the funds of a correspondent and for him by his order, but refused to be delivered six months after, because in the interval a great advance had

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taken place in the price of the article purchased; of ostensible accounts of purchase, sale and charges, totally different from the real transactions at the expense of the consignee, and a list of and-so-forths all in the same style. If your business here in future should bear any comparison in amount with what it has been the present year, I feel perfectly assured that you would find it highly for your interest to have an agent of your own to superintend the transactions of all your business, and that it would require a person not only of incorruptible integrity, but active, intelligent and conversant with the ways and means of the merchants at this place.

. . . . . .

TO THOMAS BOYLSTON ADAMS

ST. PETERSBURG, 11/23 October, 1810.

MY DEAR BROTHER:

. . . . . .

I have always rejoiced at the mode which chance much more than design gave me of a correspondence from America, but there is no escaping one's destiny, and I have been abused in the newspapers, *both* for putting the nation to the enormous expense of a frigate to transport *my precious carcase* across the ocean, and for landing at Cronstadt from a *merchant vessel loaded with sugar and coffee*. How deeply venomous must be the feelings, and how scanty must be the food for them to subsist upon, which can feed upon such substances as these. Perhaps one half the ministers of the United States, who have come to Europe since the declaration of Independence, have come in frigates, and never a syllable was lisped at the expense. The other half have come in merchant vessels, and nobody ever heard how they landed, or of what the cargoes of the ships were composed.

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May such always be the reproaches of my enemies, and may they never have anything worse to object against me.

True it is, that while the insignificance of the American minister's appearance is the subject of sarcasm, the theme is copious, and would be ludicrous in proportion to the details into which a person acquainted with his style of living here and that of other ministers might enter. Compare him for instance with a French Ambassador who expends nearly three hundred thousand dollars, and you may judge how he must show. Compare him with the ministers of petty principalities whose names are scarcely known to you, and the lowest of whose salaries are equivalent to twenty thousand dollars a year, and you may rely upon it he does not shine. He cannot associate upon terms of equality either with the other foreign ministers, or with the court nobility of the country, or even with the merchants who are making enormous fortunes by American consignments of "*sugar and coffee;*" and to complete the picture it must be added, that from all these three classes of society he has received the most pointed and most oppressive attentions, oppressive I call them, for the utter impossibility with his means of meeting them by the return which they so justly deserve. But he knows that to indulge but for a moment that honest pride which is uneasy until it has reciprocated obligations of hospitality, would be total ruin to him and his family. He therefore limits his expenditures to his allowance from his country, shines as much as he can in those circles of society with whose splendor he cannot vie, and lives almost entirely retired within the bosom of his own family. This you may say is not very diplomatic, but it is absolutely necessary as you say "*to steer clear of the breakers.*"

. . . . . .

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TO ABIGAIL ADAMS

ST. PETERSBURG, 25 October, 1810.

MY DEAR MOTHER:

. . . . . .

Russia and England being at war, the commercial intercourse between them is of course forbidden, and neither English vessels nor English subjects are allowed to come into the Russian territories. You already know that one of the expedients by which the English have attempted to evade these prohibitions was by presenting themselves as Americans, with forged passports and ship's papers. The Russian government admit universally every American recognized as such by the American minister or consul. This business, since I have been here, continues as it was before to be transacted by Mr. Harris, the consul, who never fails, however, to consult me, and take my opinion in every case susceptible of a question. I had not been here a week before I was asked to authenticate a paper purporting to be a passport of the Mayor of New York, and an eminent merchant of this city sent me in writing his *guarantee*, that the man named in the passport was *a native citizen of the United States*. The passport was forged in London by a Jew named Van Sander, who had kept there a shop for neutral papers for several years, and the man named in it was a Liverpool trader, who had never set his foot in the United States. You very naturally perceive that I not only refused the authentication desired of me, but that I did not entirely suppress a sentiment of indignation at the imposition that was attempted to be practised upon me by the guarantor.

Within a fortnight afterwards two ships entered with registers of the same Van Sander fabrication. They were detected by Mr. Harris, who laid the papers before me, and

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who duly informed the Russian government that they were forged. The vessels with their cargoes were confiscated and their papers delivered to Mr. Harris, who has sent them to the Department of State. In this he acted entirely with my countenance and approbation, which under a weight of mercantile influence existing here *in favor of these frauds* was undoubtedly useful, if not necessary to him. I certainly did let it be understood by all the merchants of St. Petersburg and of the other Russian ports, that *forged* papers pretended to be American should find neither connivance nor mercy from me, whenever they should come to my knowledge, although this determination so explicitly manifested did not recommend me to the favor of Englishmen in this part of the world not even to that of the merchants of St. Petersburg. I do sincerely believe that had it not been for it, the *real* American flag would long before this have been excluded from the ports of Russia, as it has been from those of Denmark and Prussia.

I have heard by an American gentleman, who was in London at the time when the news of these disasters to the Americans of the Van Sander stamp arrived there, the consternation which they occasioned among the gang of banditti who had been driving that trade, and the bitterness of their gall against the *meddling* American minister. But I have had no more forged passports with guarantees sent to me to be authenticated, and only two or three more of Mr. Van Sander's registers have appeared in the Russian ports during the present year. They have met the same fate with their predecessors. But the story that I examined all the papers of vessels myself, or that I ever meddled with them, unless at the request of Mr. Harris, of the Russian government, or of the persons to whom the papers belong, is a mere fabrication totally destitute of truth.

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My real offence, therefore, has been in contributing to the exclusion of persons, vessels and cargoes really English, but coming with the forged signatures and seals of the public officers of my country. And the editors of American newspapers, who have copied from their English fellow laborers columns of abuse for this conduct, pretend that the charge of British influence over them is a calumny.

In speaking of the American influence here in favor of these frauds it may be proper to explain myself further. The merchants of St. Petersburg are almost all foreigners; great numbers of them are English, or connected with English houses. Their business is almost exclusively commission business. They universally detest this war with England, and long for the restoration of the commercial intercourse with that country. They want the trade, and they care not under what flag or what papers it comes and goes. The American flag and American papers would have been the most convenient of all their shelters, and under the liberal confidence with which the Russian government admitted every vessel and person coming from friendly countries and recognized by the American minister or consuls as Americans, if our countenance could have been obtained, instead of fifty or sixty vessels from Teneriffe which have come to Russia for confiscation under all sorts of papers excepting American, we might have seen five hundred direct from the London market, both of merchandize and of papers. The inevitable and just consequence of which would have been, that the true Americans would have been confounded with the false, and all of them involved in one general proscription. . . .

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TO THOMAS BOYLSTON ADAMS

St. Petersburg, 27 October, 1810.

My dear Brother:

On the principle of returning a separate answer or reply to every letter that I receive from you, I remain yet one in arrears to you, since in my last I acknowledged the receipt of two, dated 27 March and 7 May.

With the last dated, but first received of those, came the number of the *Anthology* containing the most learned critique upon my lectures. It reminded me of a famous speech of which I have heard, said to have been delivered in the Massachusetts Convention for deciding upon the federal constitution, a speech in which the orator, after enumerating the principal objections which were then made against that national compact, concluded by saying "*for these reasons*, Mr. President, I shall vote for the adoption of this Constitution." But I have written to my mother my opinions of this notable performance, and that was taking quite as much notice of it as it deserved. A thousand such reviews will do my book neither good nor harm. But our giants of literature are waiting to see what the English, and especially what the Scottish reviewers, will say, to know whether the work is good for anything or not, and that most unlucky episode about Lord Holland which crept so unaccountably into the Silesian letters, I know will secure me another scratch from the titillating fingers of Edinburgh. Lord Holland it seems is himself one of the lashes of that cat of nine tails the *Edinburgh Review*, and that circumstance explained the vindictive rancor with which they scourged those letters.[1]

[1] The article, by Francis Horner, appeared in the *Edinburgh Review*, V. 180.

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Their fortune has certainly far exceeded their pretensions, for besides the English edition of them they were dealt out again in driblets by half a dozen English magazines, and they have had the honor of being translated into French and German, and in both of those languages have been about as much abused as they were in English. I presume that the lectures will at least be spared in other languages than their own.

Ever since I have been this time in Europe packets of newspapers have come to me by almost every vessel that has arrived from Boston, made up and forwarded to me by *Young and Minns*, the editors of the *Palladium*. This obliging attention, which has often furnished me the most recent intelligence from America, has been the more unexpected and indeed surprising to me, as I find that in their own paper they spare me as little as before I left home, and, like the other federal prints, readily circulate any scurrility upon me from what quarter soever it may come. At any rate I am obliged to Messrs. Young and Minns for the trouble they have taken to send me the papers, and must ask you to thank them in my name for their kindness. I would send them some newspapers in return, if there were any published here that they could read, or that could reach them in time to give them any news. But I wish them to be assured that if I have no immediate opportunity to return their favor, I am not the less sensible of it.

. . . . . .

We had yesterday the first *levee*, or as they call it here diplomatic circle, since the return of the Imperial family from their summer residence in the country. I presented Mr. Jones at court.[1] It was the Empress mother's birthday, and in the evening there was a French opera perform-

[1] T. K. Jones, Adams, *Memoirs*, October 9, 1810.

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ance at the theatre of the Hermitage. All the ministers of the corps diplomatique received tickets of admission to this performance, which was a thing without example in the present reign. Mrs. Adams received also a ticket, and as there is now no other foreign minister's lady at St. Petersburg, that she might [not] be alone, the Emperor expressly ordered that a ticket should also be sent to her sister Catherine, although she has not been presented at court. The rmitage theatre is in the Palace which bears that name, and the French company of players occasionally perform there by the Emperor's command. The tickets of admission are distributed as he directs, and are confined to his own court and to *ambassadors*. This was the only instance in which ministers of the second order have ever received an invitation there. You are sufficiently acquainted with monarchical governments to know how every human being that surrounds a sovereign, from a prime minister to a scullion, catches the tone of the master in the treatment of persons, and while I and my family shall receive such marks of attention as these, trifling as they are in themselves, you may make yourself quite easy about my qualifications for the splendid and intriguing court of Russia, and even about the figure which we made on our landing at Cronstadt. I have, indeed, in the course of the summer received proofs far otherwise important than these, of the Emperor's friendly disposition towards the United States, and if I have not, as I certainly have not, the means of turning to the greatest possible benefit of my country these favorable sentiments, both towards my nation and myself, *the fault is not mine*. I have yet a trying winter to go through, and I have reason to expect that the next summer will prove no less so; but at this moment you may be assured that the only object of my concern is, that circumstances which I cannot control may oc-

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casion us to lose some of the favor in which we now stand. This may be unavoidable. I had seen before the receipt of your letter the judgment of the Supreme Court of the United States in the case of Fletcher and Peck, which had given me great pleasure. I am so little used to hear anything like an acknowledgment from those whom I have favored, that the gratification of my feelings is the greater when I find it given. I was therefore delighted to learn from you that Mr. Peck attributes the success of that cause to my exertions at the preceding session of the court. I do not make this general observation by way of complaint. I settled it as a principle at a very early period of my life, and expressed it in one of my performances at an exhibition while at college, that we must serve our fellowmen from a nobler motive than the expectation of their gratitude in return, and that we must never take it as a disappointment when we experience the failure of that gratitude. I hope I have always acted up to this principle, and when I have met with grateful returns, I have always considered it as so much of my positive enjoyment gained which was not to have been expected.

My dear boys are never out of my thoughts. Your account of John's [1] rapid improvement in learning to read was a banquet to my soul. There are so many things that I want them to learn that I can scarcely wait with proper patience for the time when they ought to be taught them. I presume they are now with you, and am sure they will have all the kind care and attention both of yourself and of your wife. I have already expressed to you my anxiety with regard to George's handwriting and his French. I wish him to begin immediately to write letters, and to be required to write them entirely from his own head, though he should have some assistance to correct the spelling. Letter writing

[1] John Adams, born in Boston, July 4, 1803.

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is but learnt by practice, and upon every letter that he writes or receives you can lead him by a few short remarks to discern the true characters of the epistolary style. But while he is made to pursue his sedentary studies with all the assiduity which he can bestow upon them, I wish him also to be inured to bodily fatigues and even hardships. Let him have no effeminate indulgencies, no cockering, no encouragement to the anticipations of a life of indolence, and ease, and enjoyment. Let his sports and amusements even be of the hardy kind, which partake as much of labor as of pleasure. Teach him courage and discretion blended together in the same lessons. How much I ask you to do for him, and how easy it is to ask! The best of all possible educations I know is but a lottery, and without a corresponding disposition in the child, all that you can do for him is but labor lost. Let us do, however, all that we can and leave the result to Providence. I am, etc.

TO EZEKIEL BACON

St. Petersburg, 3 November, 1810.

My dear Sir:

Ever since the 4th of July, 1809, I have had upon file a letter from you of the preceding 29th of June, with the intention of making to it the reply to which on many accounts it was justly entitled. It was one of the earliest notices which I received of my *exile*, as you termed it, to this place, and the subjects to which it relates, amidst the rapid changes so peculiar to these times in the political world, have not yet altogether lost their interest.

The motives for the mission to St. Petersburg were, together with almost everything else, misrepresented by one

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of our political parties, and not very accurately estimated by the other. They were founded in the considerable and increasing commercial relations between the two countries, and in the peculiarly friendly sentiments of the present sovereign of Russia towards the United States. This mission, and its reciprocation by a Russian minister, whom before the receipt of this letter I presume you will have seen at Washington, have probably contributed to that difference which has marked the conduct of Russia towards the trade of the United States, from that which has been exhibited by the other northern states of Europe, and by all the governments under the direct influence of France. There is not only a most remarkable coincidence between the commercial policy of Russia and of the United States, but at the present time a full conviction of that coincidency in the minds of those who govern this country. My only concern is that we shall not avail ourselves so much as we might of the opportunity afforded us, to settle some permanent principles, which might survive the changes of mind to which all governments are subject, and especially those under the dominion of one absolute sovereign.

Your political struggles of the last winter were such as must have been anticipated from the moment that the British government disavowed the arrangement which had been concluded by Mr. Erskine. The English party in our country seems to have ventured beyond its depth to such a length, that the people even in New England would no longer follow them. I say even in New England, because south of that, or at least of New York, the national feeling had always been too decided to admit of a contest with foreign influence, and the people had never encouraged the avowal of a bias towards England, which our eastern sages have lately gloried in, as if they really thought it a virtue. So long as the people

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[hold] by their steadiness to themselves, it will perhaps be a public benefit that those, who ought to be always in the minority, should be so ready to proclaim their own shame.

Notwithstanding all the vexations and depredations to which our commerce during the present year has been exposed, I presume it will upon the whole prove profitable, even to our merchants. The issue which has been opened to the principal productions of our agriculture has been immense, and the farmers and planters suffer comparatively little from the injustice of foreign nations and princes. Our government I trust will adhere inflexibly to the system of neutrality, which henceforth I expect will not be difficult. That alone will preserve our independence amidst all the European revolutions. The war against colonial articles of merchandise will, in all probability, be continued at least another year, and at present, having assumed the form of heavy duties, it may be more troublesome than it has been in the shape of prohibition, or even of confiscation. But they will eventually make their way through that, as they have through the others. It appears not improbable that one ultimate result of the present war will be the total dissolution of the European colonial system. France has lost all her colonies. Holland no longer exists. Spain has every prospect of being irrevocably severed from all her transatlantic possessions, and Portugal has already by the removal of her royal family to Brazil made way for a second independent power in the western hemisphere. England alone remains with her colonies, but they will be of little use to her in that relation, when the two American continents, and all the important islands of the West Indies, will be opened to the trade of all the world. It is impossible that all this should be restored at the peace.

The north of Europe has, during the present year, been

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the scene of some important events, the most remarkable of which have occurred in Sweden. While a French general has been elected as the successor to the throne of that kingdom, its former sovereign has been a wanderer in Switzerland and Germany, until he came to Russia, and about a fortnight since embarked at Riga on board an English armed vessel for England. The principal forces of Russia have been engaged in an active and bloody war with the Turks and Persians. To extend the Russian frontier to the shores of the Danube, two Turkish provinces have been incorporated with the Russian empire, and several strong fortresses on the south side of the Danube have been taken. A new order for recruiting the armies has been issued requiring a levy of three men upon every five hundred throughout the Empire. It will raise an addition of about one hundred thousand men to the present military force of the country.

I suppose you are in Massachusetts, now in the midst of your elections for the next Congress, and I hope that our country will still have the benefit of your services. At all events I take the liberty to remind you of the obliging promise contained in the letter to which I now reply, that I should enjoy the advantage of your correspondence. The proceedings of Congress during the session, and the prospects of our country and prevailing sentiments of the people during the recess, will furnish subjects always entertaining to me, when you find them suitable to your own leisure and convenience; and if from these polar climes I can give you nothing of equal value in return, I can at least assure you a punctual correspondent in your very sincere friend, etc. [1]

[1] "The new tariff [on colonial articles in Germany and Holland] spreads like a leprosy, and renders the Berlin and Milan decrees altogether useless. It strikes more effectually both at English and neutral trade than the decrees, and makes all discrimination of flags unnecessary. What the French government meant by

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TO THE SECRETARY OF STATE

No. 31. [ROBERT SMITH]

ST. PETERSBURG, 1/13 November, 1810.

SIR:

The last American vessel which arrived at Cronstadt this season, was the *Lion*, Captain Bainbridge. The same vessel, together with one belonging to Boston, sailed for the United States on the first of this month, and they were the last that can go before the next year. The river Neva is already full of ice, the bridges between the several parts of the city divided by the river are taken away and in two or three days more will be replaced by the natural bridge of the season. From this time until next June I shall have it in my power to write to you only by occasional and indirect conveyances. . . .

saying that the Emperor had granted licenses only to American vessels I do not know. With the duties of the tariff it is very little consequence under what flag the goods are imported. A few single vessels may arrive, pay those duties, and make still a profit upon the voyage, but in a very short time it must result in a struggle between fraud and force, between contraband and confiscation." *To Joseph Pitcairn*, November 1, 1810. Ms.

"The revocation of the decrees of Berlin and of Milan, and the Emperor Napoleon's declaration of love for the Americans, have not been followed by measures remarkably characteristic of that sentiment. The exclusion of all American vessels from the ports of Denmark, Mecklenburg and Prussia, of which the governments of those countries were the passive and unwilling instruments, was precisely contemporaneous with the honied words of the Duke of Cadore in his letter to General Armstrong of 5 August. Of the efforts which have been made to produce a similar order here I have given you regular and repeated information. *These efforts are still continued, and by the prohibitions against the importation of certain articles, and the aggravations of duties upon others which I think will be adopted before the commencement of the next year's navigation, I apprehend they will be partially successful.*" *To the Secretary of State*, November 6, 1810. Ms.

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The port of Gothenburg is indeed now the only point of steady and regular communication between all the northern part of the continent of Europe and England. It has also been the resort of a great number of American vessels. Many of the Americans who have been there have mentioned it as a circumstance not without considerable inconvenience that there is no consul there from the United States, the consul who formerly resided there having died two or three years ago. The consular business, as they represent it, has been transacted by a Mr. Dickson, an Englishman, who was his clerk or partner, and into whose hands his official papers and consular seal fell after his decease. His connections according to their accounts are much more with England than with the United States; and if in assuming the exercise of the consular powers after the death of the consul, he has not used them for improper purposes, he has at least not detected and exposed the abuse of our flag, which in some cases has come to his knowledge. It may not only be of very material importance that a native American should be appointed as consul at Gothenburg, but I take this occasion to suggest that our consular system in general deserves the very particular attention of the government. Among other things it would be advisable that they should all be expressly instructed to oppose by all proper means the impositions which are so constantly attempted to be practiced under false American colors and papers. I have heard of a number of American vessels which have been sold with all their papers, and which are now sailing about the world, and producing their American registers whenever it suits them to wear the American flag, although they are owned wholly in England and by English merchants. The *Manhattan* of New York, and the *Two Friends* of Charlestown have been mentioned to me by name, as being in that predicament.

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The papers of some of the vessels condemned in the Danish Admiralty Courts have been after their condemnation taken from the files of the court, and sold to anybody that would purchase them. One vessel with papers thus purchased came last summer to Cronstadt, of which Mr. Harris has given you information. She was not however admitted to an entry. The papers of the ship *Commerce* of Philadelphia, condemned by the court of Christiania in Norway, were sold and resold in open market at Christiansand until as I am told Mr. Jackson obtained possession of them. If the war should continue much longer, and abuses of this kind are tolerated and connived at by persons acting or assuming to act under the authority of the United States, it may be taken for a certainty that our own commerce will eventually bear the penalty.

As our consular system (setting aside the consuls to the Barbary powers) allows the officer no pecuniary compensation, it would not be required that he should abstain from engaging himself in commercial transactions; but while the consuls are merchants, and while commerce of all kinds is in that cramped and unnatural state which marks the present times, you will immediately perceive the allurements and the opportunities, which the American consuls throughout Europe will have to favor and even to partake of illicit trade.

They have I believe a discretionary power of appointing vice consuls and agents at the ports where they reside and in all the ports within the limits allotted them. The merchants of the country to promote private interests of their own are often very solicitous, and sometimes emulous of these subordinate appointments, and I understood it had been a practice among our consuls to sell them either for a settled sum annually, or by stipulating for a portion of the profits both of consular business and of commercial consign-

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ments which the vice consul or agent thus appointed receives. They do not generally conceive themselves bound to any obligation of residence at the place for which they are appointed, and whenever their own affairs call them away they absent themselves, sometimes for years, sometimes even without any intention of returning, and leave in their stead a vice consul or agent well disposed to make the consulate profitable to himself, but having very little connection with or concern about the United States.

It is very desirable that these things should be reduced to some more regular and permanent principles, and I beg leave to recommend it to the consideration of the government, whether it would not be proper to provide by law; 1. That the consular commissions should be limited in time — say to four years, but renewable either by the mere issuing of a new commission or by a new appointment like the marshals of the judicial districts. 2. That the power of the consuls to appoint vice consuls or consular agents, be subject to the confirmation or approbation of the President of the United States; and that with respect to the persons upon whom they may confer such appointments, they should receive standing instructions from the President or the Department of State.

3. That some rule of residence at the place to which they are appointed should be laid down for them. It is not necessary that this rule should be extremely rigorous; but for any absence for more than three months, I should think they ought to be required to obtain the permission of the President; and to have good reasons to assign for it. 4. That in case of the decease of consuls there should be prescribed some course of proceeding for the security of their official papers, of the documents in their offices, and of their public seals.

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5. That it should be made their duty to correspond with the Department of State and of the Treasury more frequently than has heretofore been the usage. I speak of this however principally from conjecture.

Perhaps some supplementary measures may be found necessary to guard against the English forgeries of American ships' papers. As you have had several of these forgeries before you, I presume it has already become a subject of consideration to the President and therefore shall only permit myself to observe, that the prompt and decisive discrimination between the genuine and spurious American papers has been the great, if not the only effectual cause of the unrestricted admission of our vessels into the Russian ports, while they have been excluded from almost all others in the north of Europe. . . .

TO ABIGAIL ADAMS

St. Petersburg, 16/28 November, 1810.

My dear Mother:

I received a few days ago, and since I wrote you last, a letter from Captain William Welsh, dated at Liebau, a Russian port in the Baltic, to which I suppose he came on finding that all American vessels were excluded from the port to which he was originally destined. He inclosed to me at the same time your kind letter of 25th July. In the obstructed state of navigation in the Baltic I have scarcely ever received a letter from America in less than four months from its date, and from the acknowledgments of my correspondents I find that our letters have been still longer in reaching them. I am, however, continually reminded by the receipt of letters from you of your punctuality and attention as a correspondent. I hear of letters as late as the 6th of Sep-

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tember, but excepting yours I have myself received none later than June.

We had already heard of the death of President Webber at the time of Mr. Jones's arrival. But it is much to be regretted, as from the present state and complexion of affairs the prospect is not bright of seeing his place supplied by so good a man. My own affections as well as my judgment would incline in favor of Mr. Ware.[1] But I think very highly of the talents and of the temper of Dr. Kirkland. My greatest apprehension from him would be the very circumstances which perhaps will contribute most to his election. I mean his political connections. It has become a fashionable doctrine of late years that the College should be turned into a political engine, a doctrine which I altogether disapprove, and I am very much afraid that the late alteration in the constitution of the college government arose from party motives. Of this alteration, not having seen it in its full extent, I cannot speak positively, but by advertisements in the newspapers I should infer that the connection between the legislature of the Commonwealth and the University has been formally dissolved. The Senate and Council formerly constituted a part of the Board of Overseers, and the Congregational clergymen of the six neighboring towns were the other part. Instead of which there are now chosen *fifteen laymen*. I should conceive that a liberal and comprehensive spirit would seek to make the most ancient institution for the education of youth in our country venerable in the eyes of the world, and that by thus attaching the public authority of the State and the ministers of religion by ties of duty to the interests and welfare of the College, one of the most natural and happy expedients for that purpose

[1] Henry Ware, who had been Adams' monitor in the University. Kirkland received the election, November 14, 1810.

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had been devised. From the wise and profound policy of this idea, to that of *fifteen laymen* chosen by a *caucus*, there is in my mind a lamentable falling off, and there must be some extraordinary benefit of which I am not aware attached to the administration of those fifteen laymen, to compensate for the loss which the University must sustain, by discharging the legislative and executive authorities of the State from all superintendence over its affairs, and by removing the clergy thus completely from that superintendence. . . .

The River Neva has been frozen over about a fortnight, and has about five months longer to remain in the same condition. We have already had several days nearly as cold as our most rigorous days in America. Within the house, however, we feel nothing of this severity. Double windows, double doors and stove fires keep our apartments at the exact temperature that we choose to have them. It is the fashion of the country to keep a thermometer in almost every room and chamber of the house, and at the same time another fastened to a window outside. The scale in most common use is that of Réaumur; Fahrenheit's is not used at all. Generally dining rooms and parlors are kept at 15 degrees of warmth (65 degrees of Fahrenheit), bedchambers at about 12, or 60 of Fahrenheit's. It is considered as a general rule that for healthiness the bedchamber must be kept cooler than any other. There is a stove in every chamber, and in the houses laid out for comfort or luxury one in the entry. In large halls there are usually two, and sometimes four. A fire is made once a day in every stove, but when the weather is very mild, some of the stoves are suffered to pass unheated every other day. The wood is precisely of the same kind as the eastern wood so much used at Boston. The stove is heated in the manner of an oven, and when the wood is consumed to a coal without flame, the chimney passage is cov-

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ered over with an iron cap like the lid of a pot. The walls of the houses are about three feet thick. The external windows hang upon hinges in the form of folding doors. The glass is very large, the panes in most common use are 25 or 26 inches long and 19 wide. The internal window consists of six such squares in a single frame, which is put up in September, and taken down in May, and when put up, the crevices all round the sash are stuffed with tow and paper is pasted entirely round the borders. But for the sake of ventilation one corresponding square of both the windows is made like a door on separate hinges, and may be opened at pleasure. The sash of this square is therefore larger than that of the rest, and gives an irregular and awkward appearance to the windows. For that reason perhaps it has acquired the name of a *was-ist-das*, meaning in German *what's that.* In many houses there are windows of two single panes, each six or seven feet long and twenty inches wide, and in hinged frames folding together like doors.

There are two remarkable differences between the severe winter weather of this country and that of our own. The first is that here there are no violent snow storms. It snows an hour or two almost every day in October, November and December, and continues through the winter occasionally to snow in the same manner. But scarcely ever does it snow for five or six hours together, and a fall of snow of a foot deep at one time is, I believe, without example. The snow here drifts comparatively very little; once fallen it lies the whole winter and receiving so frequently a fresh powdering it settles and cakes into a substance between ice and snow, which by the month of March gets to be three or four feet thick. But it lays almost entirely on a level until the breaking up of the frost in March or April. The streets of St. Petersburg are then scarcely passable. The second pecu-

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liarity, which mitigates the rigor of this climate, is that the extremest colds are always accompanied with a clear sky, and little or no wind. If with an atmosphere of 30 degrees of Réaumur below 0, which is 67 degrees of Fahrenheit below the freezing point, there were at the same time a wind like our northwest gales, I believe human nature could not exist under it.

We are all well. As this sentence is worth a volume in every letter which we receive from home, so I trust it is the most acceptable thing that we can write to you in return. I know not how or when I shall have an opportunity to send you this, but I write it now to have it in readiness by the first opportunity that may offer. They sometimes present themselves suddenly, and I have then barely time to prepare my public letters.

The last political event which has excited attention was the Emperor Napoleon's decree to *burn* all the English manufactures upon which his custom house or his military troops can lay their hands.[1] The state of commerce throughout

[1] "At the time when the Emperor Napoleon conditionally repealed the decrees of Berlin and Milan, he was inclined to peace, and if the British ministers had been wise, they would have taken step for step. They chose to set up a cry of victory, and to return a fair advance of liberality with an evasion, as it regarded America, and an insult to France. This threw him into a new rage, and he has returned with aggravated rigor to his continental system. Whether he will eventually injure England by it is yet very doubtful; but he will ruin great multitudes of people by it upon this continent, and he will, as he has done, prey upon the American commerce, wherever he can lay his hands upon it." *To Abigail Adams*, 5/17 December, 1910. Ms.

"The English government not having thought fit to revoke their Orders in Council after the conditional revocation by France of the decrees of Berlin and Milan, the French Emperor is determined to make a new effort to cut off the commerce between Great Britain and the continent of Europe. On the 19th of October he issued a decree that all English manufactured goods existing in warehouses or custom houses, in France, Holland, Spain, Italy, Naples, the Illyrian provinces, or wherever French troops could reach the land, should be seized and *burnt*. The

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Europe continues to be excessively distressed, and will probably be much more so before it will experience any relief. Our countrymen still rush in crowds into every port where they can obtain access, and into many where they meet nothing but seizure and confiscation. There are twenty or twenty-five vessels which were coming here, at a season when no mortal European dares venture into the Gulf of Finland; only one of them reached Cronstadt, and that while the river was freezing. The rest have entered the Reval, Riga, and other ports of the Baltic. Some have not yet been heard of. I hope however that none of them have been lost. I am, etc.

TO THE SECRETARY OF STATE

No. 33. [ROBERT SMITH]

ST. PETERSBURG, 1 December, 1810.

SIR:

Since the close of the navigation at this place more than twenty American vessels bound to Cronstadt and last from Gothenburg have arrived at the ports of Liebau, Balticport, Riga and Reval, into which they were compelled to

excessive duties upon colonial merchandise fixed by his decree of 5 August have been prescribed by all the governments under his influence; and as this will probably not frighten the English into compliance with his wishes, by the abandonment of their system, you must be prepared for another and more aggravated series of vexations upon commerce the next year. In the present aspect of affairs, if I can take the liberty of advising you, it will be not to trust your property with any of the ports under his dominion, by which I mean every country where he dictates decrees, as well as those where he issues them. Among them I particularly include Denmark and Prussia. Of Sweden I cannot positively speak. The French official gazettes already scold about the admission of English vessels at Gothenburg, and there is now a French general settled at Stockholm, as the successor to the throne of Sweden." *To William Gray*, November 16, 1810. Ms.

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enter by the impossibility of proceeding farther up the Gulf of Finland. One only, a vessel in ballast, found its way as far as Cronstadt. These vessels formed a part of a convoy of five or six hundred sail which left Gothenburg on the 7th of October, and entered the Baltic by the passage of the Belt. On their arrival at the several ports which I have mentioned their papers were transmitted to the Commission for Neutral Navigation at St. Petersburg, and several of those which first arrived were admitted without difficulty. But as their numbers increased a suspicion appears to have arisen either that they were English vessels, or from English ports, and a subsequent order was issued to suspend the admission of those which had not been admitted, and the unloading of the cargoes of those which had, until further orders, and to send the papers to St. Petersburg for further examination. This order having excited some uneasiness and alarm among the persons interested in these vessels and cargoes, some of them applied to me for interference in their behalf, and last evening I had an interview with the Chancellor, Count Romanzoff, on the subject. He said he supposed the occasion of the suspicion which had arisen was that those vessels belonged to the great convoy from Gothenburg which had been so long signalized by the Emperor Napoleon. I assured him that I was fully satisfied that the vessels of which a list had been furnished me were *bona fide* Americans, and that their papers were correct; that by several of them I had received letters from my friends in the United States; that the captain of one and the supercargoes of others were personally known to me; that the owners of almost all of them were also known to me, either by reputation or as respectable citizens of the United States, and that I had such information respecting them all, as left no doubt in my mind that they were real Americans. The Count intimated that

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under these circumstances the obstacles to their admission would easily be removed, and requested me to write him a line without official formality containing the statement I had verbally made to him, and promised to lay it before the Emperor. I have accordingly this day written him the letter, of which I enclose herewith a translation.

The Count then entered into general conversation and asked me to give him candidly my opinion with regard to the two measures lately adopted by the Emperor Napoleon: 1st, the tariff of duties upon colonial articles of 5th August; and 2ly, the auto da fé *(this was the Count's own expression), meaning the decrees of 19 October, for burning all the English merchandise, upon the European continent within the reach of the French troops. He wished me to say what I thought would be the general operation of these measures upon England on the one hand, and upon the continent on the other.*[1]

I told him that in speculating upon the probable effects of the tariff, it seemed to me that the first would be a momentary and considerable replenishment of the public coffers, by a measure in the highest degree oppressive upon individual merchants. That a second would be a great diminution of consumption of the articles thus overburthened with taxation. That a third would be a tax of unexampled severity upon the people, the mass of consumers, levied upon many articles of primary necessity. And a fourth would be a great increase of contraband trade, which I did not believe the Emperor Napoleon, with all his power, could prevent. That with regard to the burning decree, it would distress and perhaps ruin great numbers of merchants upon the continent, to whom a large proportion of the merchandise thus consumed will unquestionably belong, and will shock as it has shocked the moral feelings of mankind, who can never be

[1] Cypher.

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made to relish the policy of wantonly destroying objects of labor and ingenuity contributing, some to the subsistence, and all to the comfort and enjoyment of human life. They will naturally say, seize and confiscate the property of your enemy if you will, but destruction is the policy of a Vandal. That as to the operation of either or both these measures upon England, I did not believe it would be so great as the Emperor Napoleon appeared to expect, and that I believed he had a very exaggerated idea in general of the effect which could be produced by such measures upon the councils of the British government. No doubt many merchants would be ruined; many commercial houses would become bankrupt, but the proportion of failures to the mass of existing trade would be small, and it would not be felt by the nation to an extent that would either alarm or dispirit them into petition for peace. Indeed it might very probably happen that the decree for burning goods of English manufacture would prove useful to the manufacturers themselves by increasing the demand for the articles, as it was a well known practice of the Dutch formerly in India to burn great quantities of the spices of the country, to raise the price of what remained. That the operation of these measures on the continent would be at least as distressing as it could be in England. It would ruin as many individuals, occasion as many bankruptcies, and would fall upon people whose commercial resources were far inferior to those of the merchants in England. That there was a sympathy of commercial interest which was paramount to all political hostility. The merchants of two countries between whom there existed commercial relations were in fact only the brokers between the buyers and sellers, they had a common interest, and it was impossible to break a great merchant in London without breaking at the same time merchants in Hamburg, Amster-

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dam, St. Petersburg and even Paris. That at this moment the distress of the merchants at all these places was well known to him. It was extreme. The failures were numerous; they would soon be still more so. They were the result of these measures. And yet the people were everywhere obliged to endure these things without daring even to ask for peace. In England the case was the same. No minister in that country would dare to make peace until it should be called for by the voice of the people in petitions from the counties and cities. It was thus that the peace had been forced upon the government after the American war. It was thus that the peace of Amiens had been procured. Before the French invasion of Spain, the spirit of petitioning for peace had begun strongly to show itself in several counties of England, but now not a whisper of that kind was heard. *If the British ministry had dreaded the effect of these measures they would immediately have proposed an abandonment of the Berlin and Milan decrees, and secured it by revoking their Orders in Council. This, however, they had not chosen to do, and they must have foreseen and been prepared for whatever the power of the Emperor Napoleon could accomplish in consequence of their adhering to their system.*

The Count listened with attention to these observations, but he neither expressed his own assent to these opinions, nor his dissent from them, so unreservedly as he has done on some former occasions of a similar kind. I gave him my opinion the more unreservedly, because I knew the French government had very recently demanded the adoption of the same measures here. This demand also extended, as I have heretofore informed you, to the exclusion of all American vessels, which has been decisively refused. The dispositions and inclinations of the Emperor and of Count Romanzoff with regard to the commercial relations with the United States still remain firm and unaltered; but beyond

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all doubt our commerce here will be next year much more restricted and much less favored than it has been at present. It is perfectly obvious that the Emperor Napoleon's continental system can have no considerable effect against England while any one of the northern European states remains exempt from the effect of his measures; nor while American vessels laden with colonial articles obtain access to the Continent without being subjected to his tariff. The auto da fé *if performed here, would do us neither good nor harm; but I think it will not be tried. But the tariff, I strongly apprehend, and most especially upon the articles of sugar and coffee. . . .*

TO THE SECRETARY OF STATE

No. 34. [ROBERT SMITH]

ST. PETERSBURG, December 5/17, 1810.

SIR:

Last Thursday week being the festival of St. Catherine, there was a diplomatic circle or court held at the imperial palace. Meeting Count Romanzoff there, I spoke to him of the letter, which I had written to him, respecting the admission of the American vessels which have arrived at several Russian ports in the Baltic and Gulf of Finland, since the close of the navigation here prevented their arrival at Cronstadt, to which they were destined. I sent you a translation of this letter with my last number.

The Count told me, that he had already laid my letter before the Emperor, who had permitted him to refer it to the Minister of Commerce. But no more of the vessels have yet been admitted. The Commission for Neutral Navigation have received orders to suspend the examination of the papers, and the Emperor has ordered the subject to be re-

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ferred to the decision of the Imperial Council. *In the mean time an article in the Paris* Moniteur *has already pronounced that none of the vessels belonging to the great convoy from Gothenburg will be admitted into Russia.*[1]

At the time when the French Minister of Foreign Affairs transmitted to General Armstrong, the conditional revocation of the decrees of Berlin and Milan, there were various indications of an approximation towards peace between France and England. The furious passions, which on both sides swell the tempest of this war, were obviously beginning to subside. Count Metternich, the Prime Minister of the Austrian Empire had been from the time of the Emperor Napoleon's marriage at Paris for the express purpose of promoting a negotiation for peace, and through him propositions to that effect had been transmitted between France and England. An English negotiator, Mr. McKenzie, had during the same time been residing at Morlaix, ostensibly to effect an exchange of prisoners; and precisely at the same time, when the Duke de Cadore sent his letter to General Armstrong, it was announced that the cartel for the exchange was concluded. At that moment, I believe, had the British ministry been inclined, they might have obtained a peace upon more advantageous terms than will ever come within their reach again. Instead of improving, however, this favorable opportunity, they filled their newspapers with triumphant exultations at the change of system proposed by France, and the Marquess Wellesley, recognizing the promise so often made by the British government to renounce the system which had been professed to be merely retaliatory upon those decrees, whenever they should be removed, postponed further the performance of this engagement in a manner, to say the least, more calculated to raise the resent-

[1] Cypher.

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ment than to conciliate a further relaxation of hostility on the part of France. This proceeding appears to have produced in the mind of the French Emperor a determination to make a last effort to cut off effectually the commercial communication between Great Britain and the continent of Europe. Just at that time began to assemble in Wingo Roads, just below Gothenburg, a convoy of vessels destined to the Baltic, which was continually increasing until it amounted to more than six hundred sail at the beginning of October. It was soon signalized by the Emperor Napoleon (*to use the expression of Count Romanzoff*). An article in the *Moniteur*, early in the month of September, complained, that this intercourse with England permitted by the way of Gothenburg was incompatible with the engagements, which Sweden had contracted in the treaty of peace with France. An official article in the Swedish gazette answered, that Sweden had faithfully performed the engagement of her treaty with France, and that no English vessels were admitted into her ports; but that the Roads below Gothenburg were not so commanded by fortifications on the land as to make it possible to prevent English vessels from assembling there.

Count Metternich remained at Paris until October, but found it impossible to devise any basis for a negotiation, on which France and England would agree. England could not treat without her allies of Spain and Portugal, and yet in the negotiation for exchange of prisoners refused to redeem the Spaniards and Portuguese taken acting in concert with her armies: France would not hear of any Spanish or Portuguese negotiators for peace, and yet insisted that the Spanish and Portuguese prisoners, should be taken in exchange for Frenchmen, prisoners in England, upon an equal footing with the English themselves. All the negotiations

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were broken off and Count Metternich returned to Vienna, having accomplished nothing but a treaty for removing a sequester upon certain landed estates, which had been seized with the territories of the Prince of the Rhenish Confederation, at the commencement of the last war between France and Austria.

Then came the decree of 19 October for seizing and *burning* all the merchandize of English produce or manufacture within the reach of French troops in any part of the European continent. The same measure was demanded not only of the Princes of the Rhenish League, but of the sovereigns who still retain their independence, of Austria, and of Russia, both of which have declined complying with this demand.

General Bernadotte, now become Prince Royal of Sweden, was travelling in great splendor and magnificence from Paris to Stockholm. In his correspondence with the king and in a variety of speeches and answers to addresses while he was on the road, and after his arrival, he was manifesting his gratitude, his devotion to his new country, and his prodigality of life for her glory and defence. On the 2nd of November he made his public and solemn entry at Stockholm, was adopted by the king, as his son, and assumed the name of Charles John. A few days afterwards the French minister at Stockholm, Alquier, presented a note, demanding the seizure and confiscation of all English manufactures of colonial articles, the prohibition of their importation into Sweden for the future under any flag whatever, and an immediate declaration of war against England. And he added, that unless a satisfactory answer was given to their demands within five days, he was directed to ask for his passports and return home. At the same time, the Swedish government were informed by a courier from Baron Lagesbjelke,[1] their

[1] Lagelbielke, in Vandal, II. 467.

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minister at Paris, that the Emperor Napoleon had told him, that if Sweden did not comply with his demands, he would not only seize upon Swedish Pomerania, about which he observed they did not seem to care much, but that he would bring both Russia and Denmark upon her at once. Sweden, therefore, has declared war against England; has prohibited both the importation and exportation of all English and colonial articles of merchandize under any flag, and has ordered those already imported since the 24th of last April to be seized and placed at the king's disposal according to the laws of the kingdom. For Sweden having a constitution, and calling itself a free state, the power of arbitrary confiscation was not in the king.

The refusal of Russia to seize and confiscate, or to shut her ports against future importations of colonial articles was communicated to the French Ambassador on the first of this month, and he immediately dispatched it by a courier to his government. The determination of the Emperor, of Count Romanzoff, and of the whole Imperial Council is said to be fixed and unalterable, and I hope will prove so at the test to which I think it will be brought; but if a message comes, like that to Sweden, which is not impossible, the necessity of commerce and the real regard for the United States, which is undissembled and unimpaired, may yield to the first principle of the Russian policy at this time, which is at all events to keep on good terms with France.

I am with the utmost respect, etc.

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TO THE SECRETARY OF STATE

No. 35. [ROBERT SMITH]

ST. PETERSBURG, 15/27 December, 1810.

SIR:

Mr. W. B. Adams, who arrived last summer at Archangel, and who brought me despatches from your Department, being now in this city and desirous of returning as speedily as possible to the United States, has determined to go by land to Gothenburg in the expectation of finding there some American vessel about to return home, in which he may take passage. I have procured for him, and for a Mr. Strong[1] who goes with him, passports as couriers from Count Romanzoff and from Count Stedingk the Swedish ambassador, which will expedite their journey to Gothenburg, and have intrusted to them both despatches for you, as they will probably return by different vessels. Mr. Strong's intention is, if he finds it practicable, to go first to England. Mr. Adams is also charged with despatches from this government to Count Pahlen.

I have detained him several days, in order to inform you of the ultimate decision here respecting the admission of the American vessels, which arrived at the out ports in the Baltic and Gulf of Finland, after the navigation for the season was closed at Cronstadt. I have had two interviews with Baron Campenhausen on this subject, and indeed have detained Mr. Adams at his request. He yesterday informed me, that after a full examination and consideration it had been concluded that all the American vessels, excepting one or two with cargoes of a suspicious character, should be ad-

[1] Benjamin H. Strong.

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mitted and allowed to dispose of their cargoes, and that I might consider and write of the matter as settled. *The determination still requires the sanction of the Emperor and if not affected by the arrival of a French courier yesterday morning from Paris, that will undoubtedly be conformable to the assurance given by Baron Campenhausen.*

In my last letter I stated to you that the first principle of the present Russian policy was at all events to keep upon good terms with France. This disposition is certainly not on the part of France reciprocal. Since the marriage of the Emperor Napoleon a continual series of measures in rapid succession has manifested a spirit of hostility to Russia scarcely covered with a veil of 271. 848. 887. 560. 1032. 1053. 1501. 1098, *and newspaper endearments. The reunion of Holland to the French Empire, the dexterous vault of a French general into the Swedish succession, an active and formidable organization of troops in the Ducky of Warsaw, the establishment of a large French garrison at Dantzick, and the encouragement, perhaps even assistance, secretly furnished to the Turks for the continuance of the war which is exhausting the Russian finances, are indications of the French policy towards Russia, of which Russia is by no means ignorant and to which she is nothing less than blind. She sees it all and feels it to the quick, but as every measure of this kind is taken without consulting Russia, when she comes to deliberate upon it the time for consultation is irrevocably past, and the principle of keeping at all events upon good terms with France checks the hand of opposition and silences the voice of remonstrance. Until lately, however, France has abstained from demanding of Russia measures ruinous to her own interests and derogatory to her independence. Such demands are now made, and as I have informed you have met with denial. It is not probable that France will be satisfied with this, and I think the relations between the two countries are approaching*

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to a crisis on a point highly interesting to us. From every assurance I have had, and from every quarter I am certain, that the determination to resist to the last has been deliberately taken here, but at the moment of extremity I still apprehend the issue will be such as all my late letters have led you to expect.[1]

I have not time at present to write you more at large; but I hope in a few days to have another opportunity of which I shall avail myself. Mr. J. S. Smith took leave at court last Monday, and leaves us in the course of two or three days. He goes to Berlin, Dresden, Vienna and Paris. He goes universally regretted by all who have had the pleasure of knowing him here; and particularly by myself. Mr. Harris the Consul is also going on a tour of six weeks or two months to Archangel and Moscow.

I am most respectfully, etc.

[1] Cypher.

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